



## Negotiating the Implementation of Peacebuilding: A Challenge for the Transition to Peace and Democracy

### Summary

The success of peacebuilding not only depends on the effective negotiation of peace agreements, but essentially also on how negotiations fare during the practical implementation of peacebuilding policies on the ground. Negotiations are thus a central part of the daily business of United Nations (UN) peacebuilding operations. International actors play an important part in these negotiations, not only as facilitators between conflict parties, but as an own party with the political agenda to promote peace and democracy. Yet the impact of negotiations between international actors and domestic elites on the success of peacebuilding has only received limited attention so far. Given the mixed success of UN peacebuilding operations in promoting peace and democracy in post-conflict contexts, this neglect is a missed opportunity to search for avenues that could make peacebuilding more sustainable.

This Briefing Paper therefore engages with the role of negotiations in implementing peacebuilding policies and their impact on peacebuilding success. It particularly scrutinizes the challenges that international actors confront during a negotiation process and which constrain the prospects of reaching proclaimed goals of peace and democracy. Several aspects of negotiation processes either limit international actors in pushing through their demands or provide domestic elites with ample leeway to pursue interests not necessarily aligned with peacebuilders' goals. These challenges to negotiation processes need to be carefully taken into account when planning a peacebuilding intervention. The findings of this Briefing Paper rest on a

fine-grained process tracing of external-domestic interactions in four policy fields at the local level in Kosovo.

The following messages need to be kept in mind regarding the role of negotiations in peacebuilding:

- Peacebuilding is a constant negotiation process. Negotiations do not stop after the conclusion of a peace agreement; peacebuilding goals and practice continue to be negotiated at every step of policymaking. Thus the success of peacebuilding also depends on how negotiations fare during implementation.
- During such negotiation processes particular challenges arise for international actors vis-à-vis domestic actors: the reconciliation of the diverging goals of peacebuilders and domestic elites; mutual dependencies on both sides; the balance between flexibility and long-term strategies; and the selectivity of international engagement.

In light of these challenges, international actors need to:

- Be aware of the need for compromise but make sure that compromises do not undermine overall peacebuilding goals. Issues for negotiation need to be selected strategically with a view to ensuring the best outcome of a peacebuilding policy.
- Be aware of the need for contingency planning while finding a balance between flexibility and strategic long-term thinking. Fast-changing security environments may require strategic readjustment, but arbitrary ad hoc changes in priorities must be avoided.

### The record of UN peacebuilding operations

In the past, the track record of UN peacebuilding missions in support of peace and democracy in conflict contexts has not always been successful. Today most UN peace missions entail a multi-dimensional mandate to support the end of fighting (peace) as well as the establishment of democratic institutions (democracy). In that sense, peacebuilding is intended to contribute directly to Sustainable Development Goal (SDG) 16 that comprises promoting peaceful and inclusive societies. Yet the track record of peacebuilding in fulfilment of its stated goals has been mixed. While peacebuilding efforts seem to fare rather well in ending fighting, they are less successful in supporting democracy: between 1989 and 2013, of 22 UN peace missions with a mandate to promote peace and democracy, only 3 post-war countries relapsed into war; however, just 3 states transitioned to full democracy (El Salvador, Namibia, Croatia) while 10 are still considered semi-democratic regimes and 9 are judged to be authoritarian states. This result is rather chilling given that democratisation is an integral part of peacebuilding missions. A major problem to complete the transition to democracy is often the lack of, or incomplete, implementation of the democratic reforms that were envisioned in the peace agreement. This is why negotiations during the implementation stage of peacebuilding are of such importance.

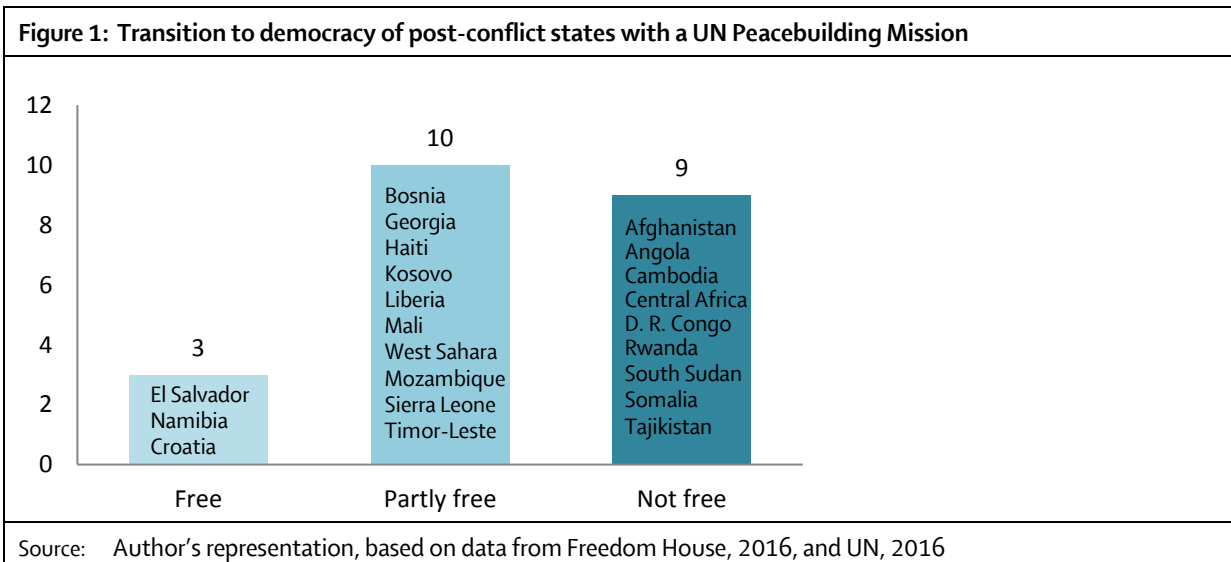
Against the backdrop of these mixed results, former UN Secretary-General Ban Ki Moon commissioned three independent expert panels to review the UN Security Pillar in 2014. The goal was to evaluate recent institutional changes within the UN peacebuilding architecture – such as the introduction of the Peacebuilding Commission, the Peacebuilding Fund, and the Peacebuilding Support Office – and to make recommendations for further improvements.

### The primacy of politics in peacebuilding

The High Level Independent Panel on UN Peace Operations, tasked to investigate the effectiveness of UN peace operations

on the ground, concluded that UN peacebuilding needed to pay closer attention to the political processes leading up to the conclusion and implementation of political settlements, instead of merely focusing on technical details. Such a new focus on politics clearly indicates the importance of negotiations for the success of peacebuilding operations to support peace and democracy. After all, political peace settlements are usually agreed upon – and implemented – under the supervision of international representatives and through continuous negotiations with national political elites. The report underlines: “Lasting peace is not achieved nor sustained by military and technical engagements, but through political solutions. The primacy of politics should be the hallmark of the approach of the United Nations to the resolution of conflict, during mediation, the monitoring of ceasefires, assistance to the implementation of peace accords, the management of violent conflicts and longer-term efforts at sustaining peace” (UN [United Nations], 2015, p. 25). Peace operations need to engage more closely with domestic actors to make peacebuilding policies work in a sustainable way, the report also notes: “The main effort of any peace operation must be to focus international attention, leverage and resources on supporting national actors to make the courageous choices required to restore peace, address underlying conflict drivers and meet the legitimate interests of the wider population, not just a small elite” (UN, 2015, p. 27).

The recommended shift towards politics is an acknowledgement that the promotion of peace and democracy has a deeply political dimension that needs to be addressed through negotiations. Political elites from former warring parties might be reluctant to agree to any peacebuilding reforms as they fear that they will lose political power to their rivals. Peacebuilding policies promoting democracy are particularly prone to domestic suspicion: democracy requires that political elites consent to a system of “checks and balances”, to share power with political adversaries, or to increase transparency in their dealings and therewith



destroys a potentially fragile equilibrium of clientelistic relationships. International actors have to negotiate these aspects carefully to gain consent for a peacebuilding agenda from domestic parties. This includes not only the negotiation of formal political settlements or policies prior to an agreement, but also their implementation.

### Challenges of peacebuilding negotiations

There is thus a need for a solid understanding of negotiation processes between international actors and domestic elites underway in peacebuilding contexts. Yet while negotiations are a key to the success of peace operations, they are also often tricky and full of pitfalls on the ground. Furthermore, the success of peacebuilding not only depends on the negotiation of a peace agreement or a particular peacebuilding policy but essentially on how negotiations fare at the stage of practical implementation. The implementation of peacebuilding is often a particularly intricate part of the negotiation due to its political complexity and the many simultaneous tasks to be taken care of at once. This makes it harder to reach success in building peace and democracy.

Several features of negotiation processes either constrain international actors to facilitate the transition to peace and democracy or provide domestic elites with ample leeway to pursue own priorities not reflected in the peacebuilders' agenda, as will be shown below. These challenges need to be taken into account carefully when planning a peacebuilding intervention:

The first challenge to negotiations are the diverging goals of international actors and domestic elites. In many post-war countries, international actors struggle to reconcile the peacebuilding goals written in their mandate – ending hostilities, supporting democratic institutions – with the priorities of domestic elites on the ground. Domestic elites might be more interested in broadening political power or advancing socio-economic development for their citizens. These domestic priorities are often not reflected in the peacebuilders' agenda. If the goals are not aligned, however, it is difficult to concentrate the negotiation process on the optimal implementation of a peacebuilding policy. Instead, domestic elites may try to accommodate their own goals at the stage of implementation, which they were not able to do when negotiating the legal part. It is therefore important to be well aware of the other side's position, to estimate how far away the ideal points are to one's own position, and to know how important the matter is to the other side. Also, international actors need to be more open in taking into account domestic goals with a view to improving context-specific responses.

Second, negotiations take place within ever more complex actor constellations, on the international side as well as on the domestic side, making it difficult to speak with one voice. Inter-agency coordination between the UN Secretariat, departments, programmes and other multi- and bilateral donor agencies, is a recurrent problem in conflict contexts

and complicates the formulation of a common negotiating position. These internal coordination challenges often make it difficult to speak with one voice in the day to day interaction with domestic counterparts, diminishing the impact of international actors' involvement. On the domestic side, the various different preferences of political parties, military factions or the national and the local level equally complicate the strategic negotiation of peacebuilding reforms.

Third, mutual dependencies influence the negotiation of peacebuilding policies. While international actors – from UN agencies to multi- and bilateral donors – need the cooperation of domestic elites to reach their goals of stability and democracy, domestic elites need international financial assistance to advance their domestic priorities, be it the increase of political power or socio-economic development for their population. This mutual dependency diminishes the prospects of peacebuilding success, particularly in the field of democratisation, as peacebuilders are inclined to compromise on their initial goal of democracy in order to gain a minimum of domestic cooperation in the field of security. International actors need to be aware that the negotiation process might require compromises and define minimum standards that should not be given up, for example, sticking to decision-making rules, or requiring the participation of all conflict parties.

Fourth, the fast-changing environment of post-war states makes it necessary to strike a balance between flexibility and long-term strategy in the interaction. Strategic planning of how to negotiate a desirable peacebuilding outcome becomes a challenge during negotiations when unforeseen changes in the political or security situation such as low-level security incidents or the renewed outbreak of fighting occur. As a response to unforeseen events, peacebuilding missions often resort to ad hoc reactions, setting priorities for the short term, not the long term, or quickly dropping priorities. The ad hoc nature of prioritising a particular issue, while dropping others, leaves much potential in many negotiation processes untapped.

Evidence from negotiations in Kosovo suggests that the prioritisation of a peacebuilding policy can lead to improvements in reform implementation, particularly when negotiations take place at a high level of seniority, when there is more frequent interaction and when minimum requirements are clearly communicated to the domestic side (Groß, 2017).

Ad hoc changes in prioritisation thus reduce the peacebuilders' prospects of successfully negotiating an avenue to peace and democracy. To counter the negative effects of ad hoc decisions, international actors need to prepare contingency planning but prevent arbitrary changes in strategy.

Fifth, international actors show only selective engagement when negotiating the implementation of peacebuilding policies (Groß, 2017). International actors tend to select only a few rules from the entire policy package for negotiation with the domestic counterparts. This is mainly due to the

many simultaneous tasks that personnel in peace operations have to fulfil. Such selectivity, however, often results in the partial implementation of peacebuilding policies, making the full success of peacebuilding unlikely. Given the fact that domestic elites often do not fully share peacebuilder's reform goals, this selective attention offers domestic actors leeway to ignore the non-selected rules without incurring any costs. The selectivity of the negotiation process thus significantly diminishes the success of peacebuilding in support of a transition to peace and democracy. It should therefore be treated in a more strategic manner.

### Recommendations

Ensuring sustainable peace and finding a political solution to violent conflicts can only be achieved through negotiations. How to negotiate the implementation of peacebuilding policies is, however, a challenging task and the negotiation process itself is full of pitfalls that limit the prospect of peacebuilding successes in the transition to peace and democracy.

However, there are a few things that international actors can do to mitigate the pitfalls of the negotiation process itself when dealing with the implementation of peacebuilding policies.

First, international actors need to take into account the priorities of domestic elites as well as the needs of the local

population and try to find common ground for international and domestic goals.

Second, international actors benefit from speaking with one voice when negotiating with local counterparts, particularly in situations when the implementation of minimum standards is in question.

Third, peace operations need to take into account their dependency on domestic cooperation to achieve peacebuilding goals. Building respectful relationships and preparing for compromise is thus a necessary prerequisite for successful negotiations.

Fourth, peace operations need to prepare contingency planning and improve the analysis of political and security dynamics on the ground. This also means increasing contact with regular citizens of the post-war state to get a better feel for the political climate. Yet, international actors should try to resist the temptation to switch priorities too quickly or arbitrarily when confronted with political or security changes on the ground, while at the same time staying flexible for the strategic readjustment of priorities.

Fifth, international actors need to be aware of the selectivity of any negotiation process. They should therefore try to select the aspects for negotiation more strategically with a view to the best outcome of the peacebuilding policy.

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