



Building Peace, Stability and Reconciliation

Westminster Foundation for Democracy
Multi-Party Office

Centre for Democracy and Peace Building

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Reconciliation (originally named Reunion) is a sculpture by Josefina de Vasconcellos.

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* In 1995 (to mark the 50th anniversary of the end of World War II) bronze casts of this sculpture (as Reconciliation) were placed in the ruins of Coventry Cathedral and in the Hiroshima Peace Park in Japan. An additional cast can be found on the grounds of Stormont Castle in Belfast. To mark the opening of the rebuilt German Reichstag (parliament building) in 1999, another cast was placed as part of the Berlin Wall memorial.

Photo by Neil Harrison.
www.neilharrisonphotography.com



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Executive Summary

In the last 35 years, 117 conflicts have been analysed. Over the same period, out of 61 conflicts that ended, 47 concluded with peace agreements. (Fisas, V. 2016. Yearbook on Peace Processes).

While endless academic papers, reports and publications have been produced and sharing of information, experiences and good practice is becoming easier every day, ultimately each process and solution must respond to unique and specific circumstances and complex and ever changing internal and external factors.

This paper provides snapshots of context of conflicts, peace agreements and implementation structures/institutions from Northern Ireland, Lebanon, South Africa and Philippines and examines two key questions: how to move towards inclusion of ex-combatants/paramilitaries into the political system and how parliaments play a role in implementing peace agreements.

The important and vital common features of the conflict resolution have been identified, however, while the structures, rules and rights can provide the context for a conflict to be stopped – only a new culture of mutual respect and generosity of spirit can prevent it from returning. Reconciliation is a key to the development of this culture and a sustainable peace.

Hamber and Kelly (2004) defined reconciliation as the process of addressing conflictual and fractured relationships. While working on the hypothesis that reconciliation

is necessary following the conflict, however it is also a voluntary act, which cannot be imposed, they developed a model recognising reconciliation as a process, involving five interwoven and related strands, including:

- Developing a shared vision of an interdependent and fair society
- Acknowledging and dealing with the past
- Building positive relationships
- Significant cultural and attitudinal change
- Substantial social, economic and political change

The understanding and the process of reconciliation varies in different conflict environments depending on cultural, socio-economic and other factors. What is crucial is to secure agreement on what the reconciliation process should involve.

Peacebuilders, negotiators and those responsible for implementation of agreements must continually adopt, manage tensions and paradoxes, cross boundaries and cultures, build diverse networks and communicate effectively to be able to rapidly respond to complex and an ever changing and increasingly challenging environment. This requires compelling political leadership.



Finally, with regard to the two key questions of how to move towards inclusion of ex-combatants/paramilitaries into the political system and how parliaments play a role in implementing peace agreements the following lessons emerge from the four cases studied, as well as wider experience.

1

Those who are engaged in violence are unlikely to give up their aims in principle.

The purpose of a peace process is help them move from the use of physical force and violence to achieve those ends and instead to opt for democratic politics. This requires them to engage in the political system and not be closed out of it. This is the central feature of most negotiated peace processes.

2

Ex-combatants are unlikely to give up their weapons if they still believe that there are internal or external threats to them.

In Ireland the PIRA gave up most of their weapons in exchange for very significant political engagement and because they were not under physical threat. In Lebanon, Hezbollah would not give up their military operations because after the South Lebanon War it was clear that Israel remained a threat to them, even within their own borders.

3

Disarmament, Demobilization and Reintegration (DDR) are all necessary components of the process of bringing illegal paramilitary activity to an end.

In Ireland there was disarmament and reintegration, but not full demobilization of the loyalist paramilitaries in particular. They retained their paramilitary structures and turned them to organized crime. This is not an unusual turn of events. An international Independent Monitoring Commission (IMC) had to be created to press them to get rid of their weapons, but some years later a further panel had to be established to develop a new strategy to get rid of the stubbornly remaining elements of organized criminal activity that came out of the paramilitaries.

LAST 35 YEARS

117 CONFLICTS HAVE BEEN ANALYSED

61 CONFLICTS ENDED

47 CONCLUDED WITH PEACE AGREEMENTS

4

These observations emphasise the importance of creating not just institutions and laws, but most importantly a 'culture of lawfulness'.

In South Africa there had long been a culture of violence, and in the new dispensation the successors of Mandela developed a culture of corruption. These are the opposite of a culture of lawfulness so we should not be surprised that there remains a high degree of violence in that society.

5

Creating a new context in which those who have been associated with violence and criminality can move away to a new lawful way of addressing their community's concerns obviously requires the passing of legislation of various kinds.

This is one of the places where parliamentary activity is central. The peace process in the Philippines is currently in some difficulty, not primarily because of problems with the paramilitaries, or even because of the change of Presidency in the country, but because the Congress has not passed the necessary legislation. Sometimes parliamentarians are called upon to vote for quite contentious legislation, but which is essential for a peace agreement to be ratified and implemented. This requires courage and statesmanship, as over against party politics.

6

Parliament and Government often have to work together to set in place the internal and external monitoring agencies and commissions that are crucial to implementation.

A peace agreement will not implement itself. It is necessary to construct monitoring and implementation machinery through which independent, and often international, external observers can report on the progress of implementation, and so exert the necessary pressure to ensure full implementation of what has been agreed.



Introduction

The Centre for Democracy and Peace Building (CDPB) has been commissioned by the Westminster Foundation for Democracy Multi-Party Office to conduct a study of what has been learnt from a number of peace and reconciliation processes in various parts of the world to identify relevant learning for an international audience of parliamentarians.

Using four case studies, this paper provides an overview of different approaches, specifically in two areas:

**Inclusion of ex-combatants/
paramilitaries into the political system;**

**How to implement a peace agreement
through legislation and institutions.**

around the world. One of their focus areas is sharing the experiences of the Northern Ireland peace process.

The Centre for Democracy and Peace Building (CDPB) is committed to completing the peace process in Northern Ireland; changing attitudes; building a normal society and sharing the experience with others in conflict.

The CDPB's Chairman, Directors and team bring together substantial expertise to jointly offer a thoughtful exploration of 'lessons learnt' during their experience in the Irish Peace Process and fresh and innovative approaches to addressing the legacy problems for government, politicians, civil society and the security sector in Northern Ireland and beyond.

The Westminster Foundation for Democracy Multi-Party Office brings together six diverse UK political parties and seeks to promote multi-party democracy overseas. The aim of the office is to share expertise and the experiences of UK political parties on a range of thematic and regional issues with political parties from

Methodology

Due to the limited scope of this study, yet wide range and complexity of the subject, we applied an interpretive and qualitative approach, including a literature review, four case studies and twelve interviews with experts, including academics, peace negotiators, politicians, legislators, former combatants, peace activists and policy makers.

In the literature review we examined materials produced by academics, practitioners and NGOs on conflict and peacebuilding, implementation of peace agreements, integration of ex-combatants/paramilitaries into the political system, reconciliation and the role of parliaments in peacebuilding. We have also extensively, but not exclusively, used online materials from the Norwegian Peacebuilding Resource Centre and the NGO, Conciliation Resources.

The four case studies of conflict-affected countries provide snapshots of conflicts, their contexts, peace agreements and implementation structures/institutions across different regions and at different stages.

Northern Ireland, Lebanon, South Africa and Philippines all have distinct histories, ethnic and socio-economic characteristics as well as different

institutional capacities. The case studies allow the reader to appreciate the characteristics of different contexts and identify some of the key features in the implementation of peace agreements.

We have also explored a range of issues with the interviewees. These included their own personal views and opinions on reconciliation, practices and structures relating to the implementation of peace agreements, integration of ex-combatants/paramilitaries into the political system, lessons learnt and practical recommendations for peacebuilders and policy makers.

Based on the case studies, literature review and interviews we have identified common themes and have summarised these in the conclusion, lessons learnt and recommendations in the final section of this paper.

Defining reconciliation

Reconciliation is a component and potential outcome of peacebuilding, among other elements including institution-building and effective governance, community development, social economic development, social reconstruction, empowerment and 'dealing with the past'. It can operate on the individual, community and political levels.

Hamber and Kelly (2004) explored a number of definitions that are frequently used, and have defined reconciliation as the process of addressing conflictual and fractured relationships. They worked on the hypothesis that reconciliation is a necessary process following conflict, and reaching a peace agreement; however reconciliation is voluntary and cannot be imposed.

Hamber and Kelly developed a model recognising reconciliation as a process, involving five interwoven and related strands, including:



Developing a shared vision of an interdependent and fair society

The articulation of a common vision of an interdependent, just, equitable, open and diverse society. The development of a vision of a shared future requiring the involvement of the whole society, at all levels.



Acknowledging and dealing with the past

Acknowledging the hurt, losses, truths and suffering of the past. Providing the mechanisms for justice, healing, restitution or reparation, and restoration (including apologies if necessary and steps aimed at redress). Individuals and institutions acknowledge their own role in the conflicts of the past, accepting and learning from it in a constructive way so as to guarantee non-repetition.



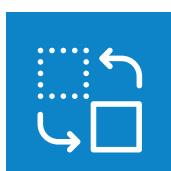
Building positive relationships

Relationship building or renewal following violent conflict addressing issues of trust, prejudice, intolerance in this process resulting in accepting commonalities and differences, and embracing and engaging with those who are different to us.



Significant cultural and attitudinal change

Changes in how people relate to, and their attitudes towards, one another. The culture of suspicion, fear, mistrust and violence is broken down and opportunities and space opened up in which people can hear and be heard. A culture of respect for human rights and human difference is developed creating a context where each citizen becomes an active participant in society and feels a sense of belonging.



Substantial social, economic and political change

The social, economic and political structures which gave rise to the conflict and estrangement are identified, reconstructed or addressed, and transformed.

FIG 1. Hamber, B. & Kelly, G. (2004). A working definition of reconciliation.

In addition, Hamber and Kelly (2004) note two additional points in relation to any process of reconciliation:

- reconciliation processes always contain paradoxes and even contradictions (i.e. they promote an encounter between the open expression of the painful past but at the same time seek a long-term, interdependent future);
- reconciliation is a morally-loaded concept and different people will bring their own ideological bias to the subject. An individual's definition or understanding of reconciliation is generally informed by their basic beliefs about the world.

Slater (2016) differentiates between ethical reconciliation initiatives, which focus on reconciliation as an outcome of acts of individual or collective forgiveness and political approaches, within which reconciliation is viewed primarily as the process of rebuilding fractured societal structures in general, and human relations in the aftermath of violent conflict.

Political reconciliation recognises the need for transforming relationships at different levels: both vertically (between state and society) and horizontally (at the inter-community and inter-elite levels) and it can be viewed from range of levels and perspectives, including individual, communal, institutional and psychosocial.

Slater also identifies reconciliation's fundamental objectives as truth-telling, justice, reparation and fostering healing among the victims of violence and its core practical role in peacebuilding as creation of the space needed to transform, restore and (re)create relationships affected by violence, and to enable complexity with respect to issues and identities to thrive within society.

The understanding and the process of reconciliation varies in different conflict environments depending on cultural, socio-economic and other factors. What is crucial is to secure agreement on what the reconciliation process should involve.



Case studies:

Northern Ireland
Lebanon
South Africa
Philippines

NORTHERN IRELAND CASE STUDY

photo: Frankie Quinn, Northern Ireland, 1985
frankiequinn.com



The transition of society from being enmeshed in a long-running violent conflict to being largely peaceful, has ensured that the Northern Ireland peace process is regarded as one of the major successes of recent peacebuilding activity and a model for other conflict transformation work around the world.

Northern Ireland

Northern Ireland was the location for an extended armed conflict, known locally as 'the Troubles', which lasted from 1969 until 1998 and led to the deaths of over 3,500 people.

The violence in Northern Ireland has been driven by conflict over the political status of the region and the competing identities and aspirations of the two main communities living there. The Protestant community generally favours continuing political union with the United Kingdom. They regard themselves as British citizens and define themselves politically as Unionists. Hard-line Unionists are known as Loyalists since they proclaim loyalty to the British monarchy. The Catholic community, on the other hand, are more likely to regard themselves as Irish and favour closer links with the Republic of Ireland and in some cases favour the creation of a single, united Irish state. They regard themselves as Irish and define themselves politically as Nationalists. Hard-line Nationalists are known as Republicans since they strive for a United Irish Republic. While Loyalists and Republicans are integral parts of their wider Unionist and Nationalist communities respectively, the terms 'Loyalist' and 'Republican' have generally become applicable to more hard-line members of the Protestant Unionist and Catholic Nationalist communities.

The 1921 Anglo-Irish Treaty established self-government in Ireland but also the Partition of Ireland, with Northern Ireland - six predominantly Protestant counties - remaining part of the United Kingdom. Tensions between Northern Ireland's Protestant, Unionist majority and its Catholic, Nationalist minority simmered and grew as institutionalised discrimination against Catholics remained unchanged over the decades. In the 1960s, a civil rights movement developed to

fight for equal rights and against discrimination in areas such as housing and employment. Ultimately, the Royal Ulster Constabulary's violent suppression of a civil rights march in Derry, in 1968, triggered a chain reaction of events that saw Northern Ireland explode into violent conflict. 'The Troubles' had begun, and would continue for the next three decades. The British Army deployed to Northern Ireland in 1969 whilst the Provisional IRA (PIRA or IRA) emerged as the largest Republican paramilitary organisation fighting for a united Ireland. Loyalist paramilitary groups, including the Ulster Defence Association (UDA) and Ulster Volunteer Force (UVF) also formed to resist Irish unification and Republican paramilitaries. 1972 was the bloodiest year of the Troubles, but every year after this included terrible acts of violence as the conflict continued without any apparent resolution.

A protracted multi-party 'peace process' that began in the early 1990s resulted in a peace agreement, signed on Good Friday 1998. This led to the creation of a range of new political and human rights institutions and eventually to the formation of a devolved government in 2007, which included representation for the four of the province's five main political parties, straddling the sectarian divide. The transition of society from being enmeshed in a long-running violent conflict to being largely peaceful, has ensured that the Northern Ireland peace process is regarded as one of the major successes of recent peacebuilding activity and a model for other conflict transformation work around the world.

Peace agreements and political institutions

The Belfast Agreement, also known as the Good Friday Agreement, was reached on Good Friday, 10 April 1998 between the British and Irish governments and most of the political parties in Northern Ireland. It aimed to set up a cross-community power-sharing government in Northern Ireland.

Under the Agreement, Northern Ireland would have a devolved government. The UK Parliament would transfer, or devolve, legislative and executive powers to a new Northern Ireland Assembly.

The main features of the Northern Ireland power-sharing model include:

- **Cross-community power-sharing at the executive level, including the joint office of First Minister and deputy First Minister, and a multi-party executive.**

The First and deputy First Ministers, one unionist and one nationalist, have equal powers. One cannot be in post without the other. The multi-party executive (cabinet), or coalition, is made up of parties who, under the d'Hondt system, receive ministerial posts based on the number of seats a party wins in the election – this could include parties who describe themselves as 'other' if they win sufficient seats

- **Proportionality – a proportional representation electoral system called the Single Transferable Vote is used to elect Members of the Legislative Assembly (MLAs).** The d'Hondt mechanism is used to allocate positions of power: ministers, chairs and deputy chairs of committees

- **Cultural equality for the two main traditions**

- **Special voting arrangements that give veto rights to the minority.** Certain Assembly decisions require cross-community support, not just majority support but the

support of a certain percentage of both nationalists and unionists and the whole

- **Members have to designate as 'nationalist', 'unionist' or 'other' when signing the Register as an MLA on the first day the Assembly meets after an election.**

This is to facilitate cross-community voting. MLAs who do not wish to label themselves as 'nationalist' or 'unionist' must register as 'other'

The Agreement sought to build relationships within Northern Ireland, between Northern Ireland and the Republic of Ireland, and between the United Kingdom and Ireland. It is divided into three strands:

- **Strand One** set up the power-sharing Assembly and Executive (and a Civic Forum, which is no longer in operation)

- **Strand Two** established an Irish dimension to the governing arrangements for Northern Ireland. The North-South institutions (the North-South Ministerial Council (NSMC) and the North-South Implementation Bodies ensure co-operation between Northern Ireland and the Republic of Ireland. This is important for Nationalists.

- **Strand Three** established 'East-West' institutions (the British-Irish Council and the British-Irish Intergovernmental Conference) to facilitate co-operation and good relations between Britain and Ireland.

Northern Ireland

The Agreement also addressed number of other issues:

- **It committed parties to encourage decommissioning of paramilitary weapons** and it set up the International Independent Commission on Decommissioning (IICD) to monitor their progress in this area. The failure of progress in decommissioning led to the first suspension of the Assembly, in February 2000, after only 11 weeks.
- **The Agreement also referred to 'demilitarisation'**: as peace became more firmly established and moved towards a more 'normal' society, the military presence in Northern Ireland would be scaled down
- **A commission was established to produce proposals for reform of policing in Northern Ireland.** This was a very controversial part of the Agreement, as was the early release of prisoners convicted of crimes relating to the conflict.

Implementation of the Belfast/Good Friday Agreement was not straightforward or easy. Although the first election to the Assembly was held in June 1998, powers were not devolved from Westminster until 2 December 1999. Then, after only 11 weeks in operation, the Assembly was suspended because of problems of trust in respect of the decommissioning of illegal terrorist weapons. The Assembly was restored in May 2000 but, on 14 October 2002, it was suspended again for similar reasons and Northern Ireland returned to Direct Rule from Westminster. This suspension lasted until 8 May 2007. It was restored following the St Andrews' Agreement, which was the result of negotiations held at St Andrews, Scotland in

October 2006. The improvement in relations that allowed for the restoration was also the result of a series of positive reports by an Independent Monitoring Commission appointed by the British and Irish Governments, with US cooperation.

Following the St Andrews Agreement some practical changes were introduced including: Ministers becoming more accountable to the Executive and the Assembly and the First Minister and the deputy First Minister were no longer elected – instead the largest party would nominate the First Minister, and the largest party in the other community (nationalist or unionist) would nominate the deputy First Minister.

The Hillsborough Agreement of February 2010 enabled Westminster to devolve Policing and Justice powers to the Northern Ireland Assembly in April 2010. This was hailed as the 'final piece' in the devolution 'jigsaw'. The Agreement also addressed ways to make progress on other difficult issues such as parades, improving Executive functioning and dealing with outstanding matters from the St Andrews' Agreement.

Another political accommodation
– The Stormont House Agreement was published on 23 December 2014. The Stormont House Agreement was intended to bind the parties and communities closer together on resolving identity issues, coming to a settlement on welfare reform, and on making government finance in Northern Ireland more sustainable.

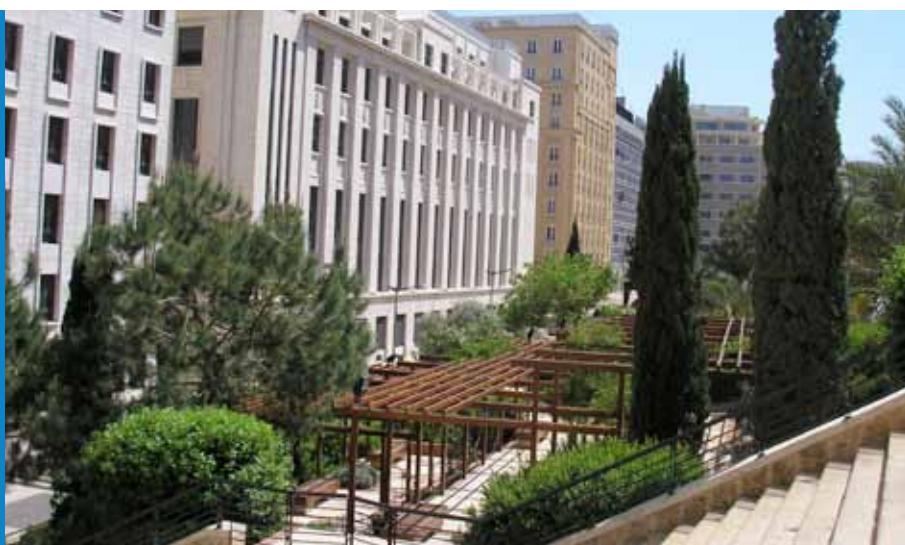
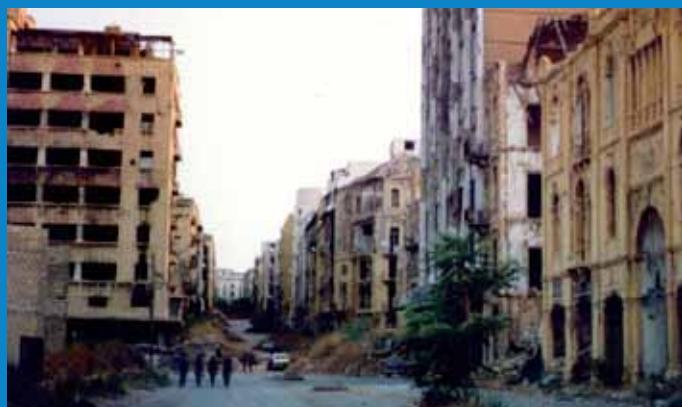
After ten weeks of further talks, it led to the Fresh Start Agreement in November 2015, which aimed to secure the full implementation of the Stormont House Agreement and to deal with the impact of continued paramilitary activity.



Lebanon achieved independence in 1943, and a 'National Pact' was created to balance political power between the main religious groups including Maronite and Greek Orthodox Christians, Druze, and Sunni and Shia Muslims.

In the early 1970s, difficulties arose over the presence of Palestinian refugees, many of whom arrived after the 1967 Arab-Israeli war and "Black September" 1970 hostilities in Jordan. Coupled with the Palestinian problem, Muslim and Christian differences grew more intense. A brutal and prolonged civil war (1975 – 1991) claimed as much as 7% the population, with about 900,000 displaced persons.

The Green Line that separated west and east Beirut, 1982



Remarkably Lebanon has remained stable and its complex political structure has continued to function, albeit with difficulties.

Roman baths park on the Serail hill, Beirut

Lebanon

After the collapse of the Ottoman Empire in the aftermath of the First World War, the League of Nations divided much of its territory into British and French mandates

Under the mandate system, the British took control of Palestine and Mesopotamia (modern day Iraq) and the French took control of what would become the modern states of Syria and Lebanon. France aimed to turn the Lebanese mountains in the north into a French dominion, built around a shared Christian cultural and historical affinity. They created Greater Lebanon as a distinct political unit in 1920, separating it from the Syrian areas.

Lebanon achieved independence in 1943, and a 'National Pact' was created to balance political power between the main religious groups including Maronite and Greek Orthodox Christians, Druze, and Sunni and Shia Muslims.

Lebanon's history from independence has been marked by periods of political turmoil interspersed with prosperity built on Beirut's position as

a regional centre for finance and trade. In the early 1970s, difficulties arose over the presence of Palestinian refugees, many of whom arrived after the 1967 Arab-Israeli war and "Black September" 1970 hostilities in Jordan. Coupled with the Palestinian problem, Muslim and Christian differences grew more intense. A brutal and prolonged civil war (1975 – 1991) claimed as much as 7% the population, with about 900,000 displaced persons.

In more recent times Lebanon has had to cope with the results of regional conflict outside its own borders. In addition to the long-standing Palestinian refugees from Israel/Palestine there has been a huge influx of refugees from the conflict in Syria/Iraq, with enormous social, economic and security consequences. Remarkably Lebanon has remained stable and its complex political structure has continued to function, albeit with difficulties.

Peace agreements and political institutions

The Ta'if Agreement of 1989 marked the beginning of the end of the civil war. In January of that year, a committee appointed by the Arab League, chaired by Kuwait and including Saudi Arabia, Algeria and Morocco, had begun to formulate solutions to the conflict, leading to a meeting of Lebanese parliamentarians in Ta'if, Saudi Arabia.

The Ta'if Agreement (also the National Reconciliation Accord or Document of National Accord) was signed on 22 October 1989 and adopted by the Parliament the following month. It provided the basis for the ending of the civil war and the return to political normalisation in Lebanon, and also a framework to expel Israeli forces from southern Lebanon and to legitimise (temporary) Syrian occupation throughout Lebanon as necessary to establish stability and security. Importantly it had widespread regional and international support, not only from Saudi Arabia and its allies but also from Iran.

The agreement formed the principle of "mutual coexistence" between Lebanon's different religious identities or communities and their proper political representation. This main objective of post-civil war parliamentary electoral laws resolved decisively the following:

- **Arab identity and unity of Lebanon**, emphasizing that Lebanon was an independent, sovereign, free country and a "final homeland" for all Lebanese people

- **Lebanon's political system** as a parliamentary democracy, based on the principles of separation, balance, and cooperation among the various branches of government

- **Socio-economic system** as a free economy favouring individual initiative and the right to private property

- **Abolition of political sectarianism** constitutes a basic national goal to be achieved through a gradual scheme

Although the Ta'if Agreement identified the abolition of political sectarianism as a national priority, it provided no timeframe for doing so. The Chamber of Deputies was increased in size to 128 members, shared equally between Christians and Muslims, rather than elected by universal suffrage that would have provided a Muslim majority (excluding the expatriate community, a majority of which is Christian). A cabinet was established similarly divided equally between Christians and Muslims.

The Ta'if Agreement proposed 31 constitutional amendments in total, which were approved and incorporated into the Lebanese Constitution in 1990.

In particular, the Agreement amended the Constitution to provide that the "executive power shall be entrusted to the Council of Ministers" in place of the wording that "the executive power shall be entrusted to the President . . . assisted by the Ministers." The assignment of key posts remained split among the major religious groups:

- the office of President of the Republic is held by a **Maronite Christian**
- the Prime Minister is a **Sunni Muslim**
- the position of Chairman of the National Assembly is occupied by a **Shia Muslim**.



Lebanon



In 2008, the major Lebanese political parties instituted the Doha Agreement, providing that the Lebanese Government will make no major decisions without the consent of all major religious communities in the state.

The agreement also provided for the disarmament of all national and non-national militias. However, importantly Hezbollah was permitted to stay armed in its capacity as a "resistance force" rather than a militia, protecting Lebanon from Israel in the south. This was no theoretical question since Israel had occupied South Lebanon by military force and did not leave until 2000.

The provisions of the Ta'if Agreement relating to the occupation of Syrian troops, which had been in Lebanon since its first civil war in 1976, proved more difficult to enforce. The Ta'if Agreement provided that Syrian troops would remain deployed across Lebanon for two years after the election of the president, the creation of a new government, and the implementation of the required constitutional reforms, and thereafter would be redeployed only in the Al-Biq'a region of Lebanon. However, Syrian troops remained in Lebanon until 2005. In 2004, the UN Security Council passed Resolution 1559, which called for "all remaining foreign forces to withdraw from Lebanon and Syria finally withdrew from Lebanon under intense international pressure in 2005.

Since the beginning of the Syrian conflict in March 2011, tensions have spilled over into Lebanon with deadly clashes between Sunni Muslims and Alawites. Hezbollah forces have also entered Syria, fighting on the side of the Assad government. This is generally seen as a reflection not only of their relationship with the Assad Government, but also with Iran. The conflict in Syria/Iraq continues to place great strain on the Lebanese state with an immense influx of Syrian refugees – according to Amnesty International (2016) there are approximately 1 million Syrian refugees in the country, amounting to around one in five of the population of Lebanon.

In October 2016, former Christian army commander and Hezbollah ally, Michel Aoun, was elected president. The post had been empty for more than two years, after multiple failed attempts to fill it. Parliamentary elections are expected to be held in 2017, after parliament extended its own term by four years in 2014.

The Lebanese story exemplifies a problem that has also emerged in Northern Ireland.

It generally proves impossible to achieve an agreement to end civil war between the partisan groups without giving each section a political veto power. In the case of Northern Ireland this involved the two main sections of the community – Protestant Unionist and Catholic Nationalist – and the agreement that the First and Deputy first Minister had to come from each of the two communities and neither could act, or even hold office, without the other. In the case of Lebanon, it was not just a balance between Christian and Muslim, but also between Sunni and Shia – demonstrated by the agreement that an important component of the prerogatives and functions of the President, a Maronite Christian, was transferred to the Council of Ministers, which is presided over by a Prime Minister from the Sunni community. In addition the prerogatives and role of the Speaker, from the Shiite community, were strengthened and the Prime Minister was made accountable to parliament.

While these mutual vetoes are necessary to end the violence and get political acceptance across the divisions, instead of promoting the abolition of political sectarianism, they actually institutionalize and freeze the divisions in place. It is not that it is impossible to devise forms of structure that have the potential to obviate such an outcome, but it has proved exceptionally difficult to persuade the negotiators of such agreements to accept them.

More positively, both the Lebanese and Irish examples demonstrate the importance of international support in reaching agreement and in implementation, even though that implementation may be incomplete.



After the National Party gained power in South Africa in 1948, its all-white government immediately began enforcing existing policies of racial segregation under a system of legislation that it called apartheid.



In 1960, at the black township of Sharpeville, the police opened fire on a group of unarmed black citizens associated with the Pan-African Congress (PAC), an offshoot of the ANC.



The first non-racial, democratic elections were held in 1994 for parties to form the transitional government and choose delegates to new parliament and Constitutional Assembly. The final text of the Constitution was approved in 1996 and it came into effect on 4 February 1997.

South Africa

Racial segregation and white supremacy had become central aspects of South African policy long before apartheid began.

The controversial 1913 Land Act, passed three years after South Africa gained its independence, marked the beginning of territorial segregation by forcing black Africans to live in reserves and making it illegal for them to work as sharecroppers. Opponents of the Land Act formed the South African National Native Congress, which would become the African National Congress (ANC).

After the National Party gained power in South Africa in 1948, its all-white government immediately began enforcing existing policies of racial segregation under a system of legislation that it called apartheid. Despite strong and consistent opposition to apartheid within and outside of South Africa, its laws remained in effect for the better part of 50 years. Resistance to apartheid within South Africa took many forms over the years, from non-violent demonstrations, protests and strikes to political action and eventually to armed resistance.

In 1960, at the black township of Sharpeville, the police opened fire on a group of unarmed black citizens associated with the Pan-African Congress (PAC), an offshoot of the ANC. The Sharpeville massacre convinced many anti-apartheid leaders that they could not achieve their objectives by peaceful means, and both the PAC and ANC established military wings, neither of which ever posed a serious military threat to the state. By 1961, most resistance leaders had been captured and sentenced to long prison terms or executed. Nelson Mandela, a founder of Umkhonto we Sizwe ("Spear of the Nation"), the military wing of the ANC, was incarcerated from 1963 to 1990; his imprisonment would draw international attention and help garner support for the anti-apartheid cause.

In 1976, when thousands of black children in Soweto, a black township outside Johannesburg, demonstrated against the Afrikaans language requirement for black African students, the police opened fire with tear gas and bullets. The protests and government crackdowns that followed, combined with a national economic recession, drew more international attention to South Africa and shattered all illusions that apartheid had brought peace or prosperity to the nation. The UN General Assembly had denounced apartheid in 1973, and in 1976 the UN Security Council voted to impose a mandatory embargo on the sale of arms to South Africa. In 1985, the UK and United States imposed economic sanctions on the country.

The National Peace Accord negotiations in 1991, involving representatives from political parties, business and church associations lead to an agreement signed by 27 political, trade union and government leaders creating national, regional and local peace structures.

The National Peace Accord between the government of South Africa and various political organisations, including the African National Congress (ANC), accompanied by the unbanning of the ANC, led to the gradual demobilisation of its armed faction and the pursuit of peaceful political activities.

The first non-racial, democratic elections were held in 1994 for parties to form the transitional government and choose delegates to new parliament and Constitutional Assembly. The final text of the Constitution was approved in 1996 and it came into effect on 4 February 1997.

The National Peace Accord and structures

The National Peace Accord created an unprecedented country-wide network of structures to implement the agreement by addressing the behaviour of political parties and the security forces, issues related to justice and conflict management.

The agreement specified implementation mechanisms creating a structure based on national, regional and local committees to facilitate violence prevention and specialised committees to address key themes.

1. National level structures:

- National Peace Committee (NPC)**
 - oversight of the implementation of the agreement, resolution of any political obstacles and monitoring of compliance with the codes of conduct for political groups
- National Peace Secretariat (NPS)**
 - implementation of NPC orders and responsibility for establishing and coordinating the regional committees
- Commission of Inquiry (Goldstone Commission)** – to investigate the nature and causes of political violence and intimidation, identify those responsible and recommend solutions
- Police Board** – recommendations for more effective policing, improved police-community relations and policy changes

2. Regional level structures:

- Eleven Regional Peace Committees (RPCs)** – including representatives of political and religious organisations, unions, business and industry groups, local authorities, security forces

and other relevant organisations to preventing violence by using number of approaches (mediation, monitoring and preventive programmes)

Socio-Economic Reconstruction and Development (SERD)

- committees to broker development projects aimed at preventing or reducing violence.

Police Reporting Officers

- nominated by the Bar Association and appointed by the Minister of Law and Order and responsible for investigating allegations of police misconduct and supervising the police department's own Complaints Investigation Unit

3. Local-level structures

Local Peace Committees (LPCs)

- eventually more than 260 across the country to promote trust and reconciliation at the grassroots level, mediate conflicts and implement national and regional initiatives; including 15,000 Peace Monitors

Justices of the Peace –

- established in few regions and capable of launching their own inquiries into the violence complemented the LPCs' work

Special Criminal Courts –

- to process unrest-related cases more swiftly and effectively than the existing courts and operated with special rules guiding evidence and procedures



In 1995, the **Truth and Reconciliation Commission (TRC)** was set up by the South African Government of National Unity to help deal with what had happened under the apartheid system. The conflict during this period resulted in violence and human rights abuses from all sides. No section of society escaped these abuses. The Institute for Justice and Reconciliation was established in 2000 as the successor organisation of the TRC.

While it is difficult to prove, most serious observers believe that changes in the tectonic plates of geo-politics played a positive role in the South African process. As the Cold War came to an end, there was less of a fear in the West that the support of the ANC by the left and the Soviet Union and the (somewhat ambivalent) support of the South

African Government by the USA, the UK and much of the West, made the problems of the country a vicarious conflict between the US and the USSR. This enabled constructive forces, both internal and external to provide the context for the remarkable leadership shown by FW de Klerk and Nelson Mandela.

Like Northern Ireland and Lebanon, South Africa's transition has been marked by political crises and it remains some way off being a stable, peaceful, prosperous and reconciled country, however there will be no return to the past, and many elements of its peace process still hold important 'lessons learnt' for other countries in transition.

South Africa



A Moro rebel standing in front of a sign describing an initiative by the USAID "Growth With Equity in Mindinao" farming program staged at the Moro Islamic Liberation Front (MILF) outpost inside the MILF Camp at Darapanan in Sultan Kudarat, Southern Philippines.



Davao City Municipal Hall,
Mindanao, Philippines

Philippines

The Philippines has experienced internal conflict for over four decades. This includes violence related to two main causes: a communist-inspired insurgency and a separatist struggle in the southern Bangsamoro region.

Discontent arising from the repression of dissent and foreign interference in the Philippines led to the formation of the Communist Party of the Philippines after World War II. It aimed to overthrow the government, and remains active; peace talks between it and the government have so far been unsuccessful.

The second conflict has primarily taken place in the southern Philippines. The failure of campaigns in the 1960s to recognize local people's rights led to the development of nationalist movements, and various armed groups have since fought the government for greater autonomy.

In March 2014 a peace deal was signed between the government and the largest of these groups, the Moro Islamic Liberation Front. However, not all of the rebel groups in Mindanao and Sulu archipelago have signed the deal, and clashes in early 2015 highlight the challenges associated with this long and protracted conflict.

It is difficult to establish the total number of people who have been affected by the conflicts in the Philippines, but it is often estimated at around 120,000 deaths and displacement of almost 500,000 people.

Peace agreement and key implementation institutions

Following 17 years of negotiations the Comprehensive Agreement on the Bangsamoro was signed in March 2014 by the Moro Islamic Liberation Front (MILF) and the government of the Philippines under the Presidency of Benigno "Noynoy" Aquino III, who had been the driving force behind the commitment of the government to the peace process.

The fundamental principle of the agreement was the understanding by the government that the MILF must be part of the solution and take responsibility for the transition of the existing Autonomous Region of Muslim Mindanao into the new self-governing entity called Bangsamoro. The process of reform in the new autonomous region would replace the presidential system that governs the rest of the country with a parliamentary one. The objective is to promote the emergence of political parties and transformation of the insurgency into a political movement able to take part in local and regional elections.

The agreement defined the implementation framework, including key institutions:

The Transition Commission comprises 15 people (seven appointed by each side, under an MILF chairperson). Its main mission was the drafting of the Bangsamoro Basic Law.

The Transitional Authority (formally set up after the Basic Law is enacted by Congress) led by the MILF, including representatives of various social, political and economic stakeholders from the autonomous region. Its mission will be to pilot the transformation of the existing autonomous

institutions until the holding of elections for a new autonomous government.

The Third-Party Monitoring Team (TPMT) is responsible for monitoring the implementation of the agreements. It comprises five members (two representatives of national NGOs, two of international NGOs, and a former EU ambassador to the Philippines who acts as coordinator). The TPMT issues periodic reports for both parties, and public reports twice a year. But its most relevant role – and probably the most controversial – will be to certify the end of the implementation process, which in turn, conditions the MILF decommissioning process.

Even though both parties are represented in all the relevant organs, the negotiating teams remain an organ of last resort to resolve potential problems or disagreements. Malaysia – the facilitator country – and the ICG continue to provide support at the request of the parties.

In addition to the implementation of the Bangsamoro Basic law and adaptation of the various regional institutions to the new Statute of Autonomy, the main objective of the transitional period is the consolidation of normalisation, with its four essential elements:

Philippines

1 Socio-economic development programmes for conflict affected areas

- Coordinated by the MILF-led Bangsamoro Development Agency
- In partnership with the Sajahatra presidential programme of immediate relief to improve health conditions, education and development

2 Confidence-building measures

- Development programmes aimed specifically at MILF members
- Resolution of cases of those accused/convicted of actions and crimes related to the Mindanao armed conflict (using amnesties, pardons, and other mechanisms)

3 Transitional justice and reconciliation

- Development of strategy and programmes to address grievances and to promote reconciliation by three-person team

4 Security related initiatives

- Police reform
- Joint programme to identify and dismantle "private" armed groups (paramilitaries)
- Arms decommissioning by the MILF
- Armed forces repositioning (based on a joint evaluation of the security conditions)

A Joint Normalisation Committee will coordinate the overall normalisation process and a Joint Peace and Security Committee (comprising members of the armed forces, police and the MILF) will have overall responsibility for the supervision of all security-related matters until the full deployment of the new Bangsamoro Police.

In the later period of the presidency of Benigno Aquino III it proved increasingly difficult for him to get Congress to pass the enabling legislation for the implementation of the peace agreement, and when the new President, Rodrigo "Rody" Roa Duterte (also known as Digong) was elected there were fears that he would dump the peace agreement, as he was committed to doing with many of the policies of his predecessor. In the event this has not happened and the peace process remains in place, though Congress still has not passed the necessary legislation and this is becoming an increasing source of concern for the MILF.



Parliament Buildings,
Stormont

Implementing peace and the role of parliaments

The political science debate over the correct recipe for implementing peace has been largely defined by two schools of thoughts:

- **Consociationalism** - institutionalising power-sharing through group recognition, veto-rights, and advancing proportionality and parity as the means to organize the post-conflict society. Examples of this model include Northern Ireland, Lebanon and Bosnia-Herzegovina.
- **Centripetalism** - arguing that implementation should focus on convergence toward the moderate centre and the bolstering of non-ethnic parties. This model attempts to design an electoral system that tempers ethnic politics and encourages heterogeneous constituencies. Examples include Nigeria, Fiji, Sri Lanka.

Both sides of the debate have published hundreds of pages spelling out why their model is better and the other approach fails in the long-run. Unfortunately both have ample examples to support their claims. Lebanon and Cyprus were successful examples for consociationalism until they failed to deliver the full expectations of their promoters. In Iraq there was an attempt to divide the Kurds, Sunni Arabs and Shiite Arabs and promote inter-communal alliances through a centripetal model, but Iraq is hardly an inspiring example.

Legal mechanisms are only a part of the undertaking and the critical task remains with the wide range of local stakeholders. They are the ones left to implement whatever structure is chosen and deal with the local divisions, along with the power to reformulate both, and their key role is to work to develop better relationships between the historic warring factions.

Among the key stakeholders are the parliaments – being the central representative, law-making and oversight body, which sets standards by which society is governed and despite the criticism of some that they are mere talking shops (as of course the name suggests), ‘talking shops’ are enormously better than the ‘killing fields’ they replace.

O'Brien, Stapenhurst and Johnston (2008) emphasise a key role of parliaments as peacebuilders, in terms of both conflict prevention and reconciliation. By creating a forum for dialogue and by overseeing the executive's prioritisation and implementation of resources, effective legislatures can create a link in the governance system between the executive and civil society facilitating transition from violent conflict to peace and stability.

The role of parliaments as a forum for dialogue is further endorsed by Lord Alderdice, peace negotiator and the first Speaker of the Northern Ireland Assembly:



Lord Alderdice

"In stable, peaceful parts of the world it is easy to forget why we have parliaments – places where representatives of the community talk (and also listen) to each other. Such places are sometimes criticised as being 'just a talking shop'. Perhaps it is not fully appreciated that talking is in a very real sense the alternative to violence. In Northern Ireland we have lived through thirty years during which political differences were expressed through violent actions rather than words. Violence is an alternative to talking in any community, but this is most obvious in those places where there are deep divisions. There are important questions about why such deep divisions exist in our community but this is not the place to explore them. What is beyond doubt is that there are such divisions and that they have led to serious and prolonged inter and intra-communal violence. Politics is not so much the way that we agree across the gulf of such divisions, but rather the way in which we can express our disagreements without killing each other."

While, broadly, parliaments everywhere bring together representatives from diverse backgrounds and with differing interests, in conflict-affected countries elected members experience additional obstacles characteristic of the environment in which they operate. O'Brien (2008) notes that effectively to fulfil its legislative function, parliament needs to address long-term antagonisms and build a culture of professionalism and cooperation. However, parliament's legislative process has the potential to transform problems into solutions and once the parliament has built its own culture of cooperation, it can champion a reconciliation agenda as a part of the broader peacebuilding process.

Parliamentary representation and integration of ex-combatants and paramilitaries in the political system

Political engagement of paramilitaries often focuses not only on ending the conflict, but also facilitation of their participation in the democratic processes to address grievances and build sustainable peace and stability.

The opportunity for paramilitaries to integrate into a political system is the best guarantee of the non-recurrence of violent conflict (Herbolzheimer, 2015). It prevents potential social and political isolation of paramilitaries and strengthens democracy through better parliamentary participation/representation.

O'Brien, Stapenhurst and Johnston (2008) point out:

"Parliaments must represent the ethnic, gender, and religious diversity of individuals and groups in society so that those constituents feel able to identify with their legislators. Public confidence in parliament will be strained if its members are seen as having little in common with those they represent. (...) As representatives of the people, members of parliament are in a position to exercise enormous influence. As a result, they may find themselves called upon to undertake many roles outside those they perform strictly within parliament, such as acting as drivers for change in their local communities by disseminating information and leading community projects."

The role of effective parliamentary participation is a key factor in peacebuilding and reconciliation. Democratically elected public representatives can contribute to the process directly, through implementation of agreements and conflict prevention initiatives and indirectly, through economic, social

and other reforms. Transition and integration of paramilitaries into the political system is highly challenging for both the paramilitaries and the wider system. The common themes emerging are:

- **building credibility**
- **building capacity**
- **containing internal divisions**
- **adaptability**
- **accountability**

Alderdice (2008), based on the Northern Ireland example identified two additional components: rights, responsibilities and respect for minorities, and rebuilding of the rule of law and a culture of lawfulness. Alderdice further reflects on the importance of respect and trust.

“Case studies such as this often focus on the institutions, regulations, constitutions, and procedures that emerge from peace negotiations. Though relationships and communities cannot survive without the stability of structures and boundaries, it should never be forgotten that they are based on more than the observance of rules and laws. There must also be a spirit of generosity and respect. Without this they cannot flourish, and conflict is never truly put to the past.”

Conclusion and lessons learnt

In the last 35 years, 117 conflicts have been analysed. Over the same period, out of 61 conflicts that ended, 47 concluded with peace agreements. In 70% of the existing conflicts there was some form of contact, talks or negotiations. (Fisas, V. 2016. Yearbook on Peace Processes).

While endless academic papers, reports and publications have been produced and sharing of information, experiences and good practice is becoming easier every day, each process and solution must respond to unique and specific circumstances. Understanding of the circumstances is however not the biggest challenge. We live in an age of uncertainty. Long term planning and thinking about the shape of communities and social patterns is becoming increasingly difficult due to the economic, security and social risks generated by globalisation.

Peacebuilders, negotiators and those responsible for implementation of agreements must continually adopt, cross boundaries and cultures, build diverse networks and communicate effectively to be able to rapidly respond to complex and an ever changing and increasingly challenging environment. In simple terms, though it is anything but a simple process, they must engage in the building of better relationships, not primarily between individuals, but between large groups of people. This is a different kind of psychology, though it overlaps when one considers the psychology of those individuals who are leaders and therefore represent in their own psychology key elements of the psychology of their 'large group'.

Inclusion of paramilitaries into political system and implementation of peace agreements can be as difficult as negotiations. They require commitment and understanding that these are processes, which take time and will be constantly influenced by complex internal and external factors. Operating in a complex stakeholder environment, legislators and policy makers must lead through effective partnering with a wide range of leaders across civil society as well as with politicians from across the political spectrum. Strengthening these critical relationships will be fundamental to strengthening democracy, supporting the engagement of ideas and the implementation of agreements and policies.

The key themes identified as necessary to achieve successful outcomes in implementation of agreements and integration of paramilitaries into political system include:

- **Effective engagement and communication strategies**
- **Leadership, flexibility and innovation**
- **Strong governance and accountability**
- **Continuous development and capacity building**

Compelling political leadership is essential to manage tensions and paradoxes of the agreement implementation and to deal with the complex cross-cutting problems of facing societies emerging from conflicts.

Lessons learnt

Finally, with regard to the two key questions of how to move towards inclusion of ex-combatants/paramilitaries into the political system and how parliaments play a role in implementing peace agreements the following lessons emerge from the four cases studied, as well as wider experience.

1

Those who are engaged in violence are unlikely to give up their aims in principle.

The purpose of a peace process is help them move from the use of physical force and violence to achieve those ends and instead to opt for democratic politics. This requires them to engage in the political system and not be closed out of it. This is the central feature of most negotiated peace processes.

2

Ex-combatants are unlikely to give up their weapons if they still believe that there are internal or external threats to them.

In Ireland the PIRA gave up most of their weapons in exchange for very significant political engagement and because they were not under physical threat. In Lebanon, Hezbollah would not give up their military operations because after the South Lebanon War it was clear that Israel remained a threat to them, even within their own borders.

3

Disarmament, Demobilization and Reintegration (DDR) are all necessary components of the process of bringing illegal paramilitary activity to an end.

In Ireland there was disarmament and reintegration, but not full demobilization of the loyalist paramilitaries in particular. They retained their paramilitary structures and turned them to organized crime. This is not an unusual turn of events. An international Independent Monitoring Commission (IMC) had to be created to press them to get rid of their weapons, but some years later a further panel had to be established to develop a new strategy to get rid of the stubbornly remaining elements of organized criminal activity that came out of the paramilitaries.

4

These observations emphasise the importance of creating not just institutions and laws, but most importantly a 'culture of lawfulness'.

In South Africa there had long been a culture of violence, and in the new dispensation the successors of Mandela developed a culture of corruption. These are the opposite of a culture of lawfulness so we should not be surprised that there remains a high degree of violence in that society.

5

Creating a new context in which those who have been associated with violence and criminality can move away to a new lawful way of addressing their community's concerns obviously requires the passing of legislation of various kinds.

This is one of the places where parliamentary activity is central. The peace process in the Philippines is currently in some difficulty, not primarily because of problems with the paramilitaries, or even because of the change of Presidency in the country, but because the Congress has not passed the necessary legislation. Sometimes parliamentarians are called upon to vote for quite contentious legislation, but which is essential for a peace agreement to be ratified and implemented. This requires courage and statesmanship, as over against party politics.

6

Parliament and Government often have to work together to set in place the internal and external monitoring agencies and commissions that are crucial to implementation.

A peace agreement will not implement itself. It is necessary to construct monitoring and implementation machinery through which independent, and often international, external observers can report on the progress of implementation, and so exert the necessary pressure to ensure full implementation of what has been agreed.

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