

**Project Conflict Prevention
in West Africa (CPWA)**

Synthesis Report

The Hague, December 1998

Contents

Introduction	5
West African Actors and Institutions	7
Comparative Perspectives	13
Conclusions	19

Introduction

The Project 'Conflict Prevention in West Africa' (CPWA) was carried out by the Netherlands Institute of International Relations 'Clingendael' from 1 October 1997 until 31 October 1998. It was funded by the Netherlands Ministry of Foreign Affairs¹ and carried out in collaboration with the Council for the Development of Social Science Research in Africa (CODESRIA) in Dakar, Senegal, and the Arias Foundation for Peace and Human Progress in San José, Costa Rica.

The objective of the CPWA project was to investigate the needs and requirements felt in the West African region with regard to the containment and prevention of conflicts. To this purpose it aimed, firstly, at analysing the strengths, weaknesses and deficiencies of the various ways and means of conflict containment and prevention as employed by the different actors and institutions in the West African region (the West African component). Secondly, it tried to analyse the experiences in this area with those in two other regions or frameworks, namely the Central American region and the Organization for Security and Cooperation in Europe (the comparative component).

Four studies were written which employed the same methodology for the sake of comparison. Biaya's study² constitutes a selective inventory of the various actors and institutions in West Africa involved in the containment and prevention of conflict, other than the Economic Community of West African States (ECOWAS). The second study in the project's West African component concerned an analysis of the intervention, under ECOWAS auspices, in the Liberian civil war.³ One of the comparative studies focused on the mediation initiatives which successfully restored peace to the countries of the Central American region during the late 1980s and 1990s.⁴ The second study in the comparative component focused on conflict prevention in the Organization for Security and Cooperation in Europe (OSCE).⁵

This synthesis report provides and compares the main findings of these four studies. Firstly, it will present the principal conclusions of the inventory of West African actors and then relate these to the findings about the ECOWAS intervention in Liberia. After that the conclusions of the OSCE study will be discussed, as

1 Activity Number RF 054201.

2 T.K. Biaya, 'Acteurs et médiations dans la résolution et la prévention des conflits en Afrique de l-ouest' (*Project Conflict Prevention in West Africa*: Dakar, 1998).

3 K. van Walraven, 'Containing Conflict in the Economic Community of West African States: Lessons from the Intervention in Liberia 1990 B 1997' (*Project Conflict Prevention in West Africa*: The Hague, 1999).

4 C. Murillo, in collaboration with J. Oliver, M. Mooney and T. Pleitez, 'Lessons from Central America: A Systematization of the Regional Peace Process' (*Project Conflict Prevention in West Africa*: San José, 1998).

5 J. Cohen, 'Conflict Prevention Instruments in the Organization for Security and Co-operation in Europe: An Assessment of Capacities' (*Project Conflict Prevention in West Africa*: London, 1998).

well as of the analysis of Central American peace initiatives, and these will be linked to the research results of the West African component. The report will conclude with some observations with regard to policy.

West African Actors and Institutions

The survey by Biaya is based on primary documents and interviews. It reveals that different actors and institutions other than ECOWAS are active in the field of conflict containment and prevention **B** at both the sub-state, state and regional levels. The study presents cases from all these levels: the civil war in Liberia and the role of civil society in attempts to settle this intra-state conflict; the inter-state conflict between Mauritania and Senegal; the Touareg rebellion in northern Mali; and the Casamance conflict in Senegal. We will first present a short overview of the different actors involved in mediating these conflicts. After that some general features are discussed, such as the strengths and weaknesses of the involvement and mediation approaches of the various actors concerned and the principal causes of success or failure of the mediation efforts in these conflicts.

The actors involved in mediating these conflicts were political parties, religious groups, human rights associations and women movements; neo-traditional institutions or leadership (chiefs); (inter-)national NGOs; eminent (political) personalities; national governments; regional and international organizations; and neighbouring or foreign governments.

Political parties have been active in trying to contain conflicts in the West African region with varying degrees of success. In the Liberian civil war political parties were active in the national conference held in order to try and find a way out of the civil war (Liberia National Conference= **B** LNC). As a permanent pressure group the LNC focused its activities on democratic participation in the peace process. It participated in the peace negotiations and shared power with the warring factions in the Council of State. Political parties were not engaged in mediating the Mauritanian-Senegalese conflict. While the Senegalese government informed them of the progress in the mediation process, their voice was not taken into account. In Mali the political parties were involved only during the first stages of the negotiations which were held to resolve the problems with the Touareg in the north. In the Casamance conflict in Senegal three parties were engaged in the negotiations. The types of interventions by these political parties differed from country to country. In Liberia it took the form of participation in a political forum; in the Senegalese-Mauritanian conflict it took the modest form of taking mediation standpoints; in Liberia they were present at almost all stages in the negotiation process; in Mali they participated in the negotiations during the first stages; and in the Casamance conflict some were engaged as mediator or presented a mediation strategy to the government. However, in all cases the impact of political parties on the mediation and resolution of the conflict was minimal. In Liberia they did not prevent the coming to power of one of the warring factions, which was transformed into a political party. In the Senegalese-Mauritanian conflict their impact was negligible, while their participation in the negotiations in Mali was suspended by the government for tactical reasons. In the Casamance conflict the opposition PDS mediated between the government and the separatists in 1991, but another party failed to make an impact as its mediation plan was ignored by the government.

In some of these countries religious organizations also played a role. In Liberia, especially, the Christian-Muslim Inter-Faith Mediation Committee (IFMC) had some impact by its influence on the ECOWAS Peace Plan, while the Catholic Justice and Peace Commission developed into an important watchdog on human rights issues. At the Senegalese side in the Senegalese-Mauritanian conflict religious groups kept a low profile, for the most part limiting their role to prayer meetings. In the Casamance conflict the local church

acted as a mediator between the separatist movement and the Senegalese state, while Muslim institutions limited themselves to prayer meetings and articulated the government view.

Local human rights organizations were only active in the Liberian and Casamance conflicts, with little effect in the latter. Women's organizations were also active with regard to mediation and negotiation efforts in some of these conflicts, albeit with varying results. In the Casamance conflict the impact of women's organizations was negligible. In Liberia and Mali they participated in negotiations, although in the former case they were not listened to by other actors. In the latter case women groups co-signed the peace accords. International NGOs, too, were active in these two countries. In fact, they had important roles. At some moments during the Liberian civil war the International Negotiation Network (INN) of Jimmy Carter acted as a mediator and observer and provided its good offices to the conflicting parties to restore some confidence to the peace process. It also participated in the control and observation of the elections. In Mali a Norwegian aid organization was even central in efforts to resolve and prevent the violent conflict in the north of the country. Being invited by the Malinese government and obtaining financial aid from the Norwegian state it drew its mandate from both governments and had considerable success in helping to restore peace between the different (ethnic) communities in the north of the country. Its field diplomacy and its organization of meetings between the different communities contrasted with the traditional diplomacy of the INN.

In all conflicts so-called eminent personalities played a role. Apart from Jimmy Carter in Liberia, numerous African heads of state were engaged in mediation efforts in the Senegalese-Mauritanian conflict which, however, were unsuccessful. These personalities acted on their own initiative, while in Mali it was the government which asked two eminent persons to contact the Touareg rebels, facilitate negotiations and suggest ways to resolve the conflict. This was done with some degree of success. In the Casamance conflict the eminent personalities also derived their mandate from the government and had similarly to prepare negotiations, in this case without success.

International organizations also actively participated in finding solutions to some of these conflicts. ECOWAS, the UN and the OAU intervened in the Liberian civil war, while the OAU and the Union Maghreb Arabe (UMA) tried to mediate in the Senegalese-Mauritanian conflict. None of the organizations intervened in the Casamance conflict and the Touareg rebellion in northern Mali, although the Malinese government kept the OAU informed of its own efforts to reach a peace settlement and invited it to participate.

In some cases neighbouring or foreign states played an important role in realizing a settlement. Intervention by France led to a peace agreement between Senegal and Mauritania. Its success, however, was limited as the settlement was imposed in a top-down approach which ignored the local populations and their specific interests and thus left some conflict potential in place. Algeria successfully intervened in the conflict between the Touareg rebels and the Malinese government by putting pressure on the different rebel groups. It forced them to cooperate with each other and to participate in a conference with the Malinese government. Guinea-Bissau intervened in the Senegalese-Mauritanian conflict and the Casamance: in the former as a mediator and guarantor of the accord at the request of both governments and France. It drew its mandate from various sub-regional security arrangements and its action ended a deadlock between the conflicting parties. In the latter case the Guineans acted on their own initiative as potential guarantor of the peace, but without success as cease-fire accords never led to genuine negotiations between the Casamance rebels and the Senegalese government.

(Neo-)traditional leaders did not play any (significant) role in any of the above-mentioned conflicts, with the exception of Mali. In Liberia they were powerless in the face of the warlords, or merely an instrument in their intrigues. In the Senegalese-Mauritanian conflict Senegalese chiefs, as members of the government party, toed the government line, having even less power to solve localized conflicts than before the war. Traditional authorities in the Casamance have not been able to function as before and have been put under considerable pressure by the government security apparatus. In contrast, in Mali traditional authorities were

given an important role in contributing towards a rapprochement: they were encouraged to organize public meetings of both communities (Touareg and sedentary) to discuss common themes and problems. These meetings were concluded with a publicly professed reconciliation B an adaptation of certain traditional ceremonies.

The above shows that, while numerous and different kinds of actors and institutions were involved in mediation efforts, not all were (equally) successful, effective, or even crucial in ending these conflicts. Several elements played a role in this: the nature of, and differences in, mandates, which obviously depended on the general objectives of the actor or institution concerned and which might thus have been more or less relevant to conflict mediation; different working methods; and, especially, the degree of influence that the mediator could exert over the conflicting parties.

Generally speaking mechanisms to intervene in conflicts were activated once situations of stalemate had developed between the conflicting parties. In all conflicts bilateral or multilateral negotiations took place, with intervention by mediators from governments, individuals asked for or appointed by governments, and international organizations. International NGOs, just like neo-traditional institutions, derived their mandate from being invited by the conflicting parties concerned. Individual mediators in general derived their mandates from those who appointed them while international organizations such as the OAU and the UN could draw for this on their constitutive charter. Even so, as mentioned below, in the case of ECOWAS this was clearly deficient. The OAU did not exhibit a forceful profile, something that is related to the lack of hegemonic leadership in this continental body. In general, the UN was only marginally active in mediating West African conflicts. In fact, as shown in the study of the ECOWAS intervention in Liberia, since the end of the Cold War the West African region has suffered from the effects of its global-strategic marginalization.

Analysed from the perspective of the conflicts themselves, rather than from the perspective of the various mediating actors, the inventory study also provides insight into the principal causes of success or failure in mediating these conflict situations. In the Senegalese-Mauritanian conflict it was the French presence and French pressure that constituted the key factor in realizing the final peace accord between the two countries. However, it involved a traditional form of diplomacy employing a top-down approach, which focused exclusively on hammering out a rapprochement at the level of the state elites. The fact that local interests and structures were ignored thus raises the question about the durability of the settlement reached so far.

Mediation in the Casamance conflict has so far not led to any settlement, which is primarily due to the inflexible stand of the Senegalese government and its failure to part with the vision of a Wolof dominated Senegalese state and, thus, to take a more constructive, accommodating line towards regional aspirations. In this respect France, while having become active in the Casamance dispute, seems to have been unwilling to put more than moderate pressure on the Senegalese government. Divisions in the separatist movement hampered the search for a mediated solution even further.

As the opposite factors were present in Mali the conflict between the Touareg and the southern-dominated central government could be brought to a peaceful conclusion. Firstly, the new Malinese government, both under Amadou Toumani Touré and Alpha Umar Konaré, was willing to interpret the conflict in new, *i.e.* political, terms rather than the old military perspective. Even under the preceding regime of Moussa Traoré there had already been some movement towards a mediated solution as the country began to experience an increasingly hurting stalemate. Secondly, Algerian pressure proved instrumental in pushing the Touareg factions to the negotiating table. These were, moreover, persuaded to take a more flexible approach and scale down their demands, as well as coordinate their viewpoints in order to present a unified interlocutor. This considerably eased the negotiating process. In addition, the mediated solution involved agreement on a degree of decentralization by way of new administrative structures, as well as some power-sharing at the national level, to the benefit of Touareg representatives. This avoided or softened the (complete) ethnicization of Malian politics. The Malian success did not emanate from actors or institutions

from civil society, as these were vehemently opposed to the government's willingness to accommodate some of the Touareg claims.

Similarly, in Liberia final settlement came from states (in the form of the Nigerian and other West African governments) and state-dominated structures like ECOWAS. However, Liberian civil society played a more positive role than in Mali and was, throughout the civil war and the quest for a mediated solution, a very vocal actor. Yet it became progressively marginalized to the extent that final settlement only reflected the interests of the warring factions. This was also borne out in the study of the ECOWAS intervention in Liberia.

From the above a number of conclusions can be drawn. First and foremost, that successful mediation depends mainly on the presence of third party actors that have sufficient leverage over the conflicting parties. This leverage stems in part from (increasingly) hurting stalemates. Based on the case studies in the inventory one may conclude, more generally, that successful mediation only comes from, or involves the participation of, third parties which are capable and willing to exert sufficient levels of *power* or *influence* over the actors in the conflict. Thus, Algeria, France and Nigeria were crucial in realizing settlements in the Touareg conflict, the Senegalese-Mauritanian conflict and, in the end, the Liberian civil war. On the other hand, in the Casamance France's role did not evolve into a form of genuine mediation. Lacking an influential third party this conflict could so far not be settled. Even factors such as the quality of leadership, so prevalent in Mali and absent in the Senegalese attitude to the Casamance, appears to take second place to these power political and geo-political dimensions. While crucial in obtaining a settlement, the vision and quality of Mali's leadership cannot be seen in isolation from the stalemate the country already faced for some time.

Something that also stands out clearly is the fact that actors and institutions from civil society generally lack sufficient power to pose as effective mediators. In the Casamance conflict and the Senegalese-Mauritanian conflict they did not play any role. In Liberia they were quite vocal and performed many useful functions such as posing as watchdogs on human rights issues and criticizing the shameless power struggles between the warring factions, yet they became progressively marginalized in the process leading to a final settlement. Furthermore, while African studies have, since the 1980s, understandably stressed the importance of civil society in building more stable polities, this should not lead to the conclusion that its role in conflict mediation is constructive *per se*. In Mali the mediated solution was realized thanks to representatives of the much maligned state sector while civil society, with the exception of the women's movement, resisted what it saw as unacceptable accommodation of Touareg demands. There was widespread resistance among the population in the south to the peace accord. The government decided to withstand this and, in fact, neutralize it by limiting the role of civil society in the negotiations. This facilitated the process towards a final and successful mediation result.

However, while governments therefore continue to remain relevant in the search for effective, mediated solutions to conflicts, in West Africa they are also usually part of the region's conflict potential. Moreover, even if they are willing to submit to, or elaborate, a mediated solution, their involvement is often reflected in the nature and durability of the settlement.

This was not only the case with the Senegalese-Mauritanian conflict but also with the Liberian civil war and the intervention under the auspices of ECOWAS. As a subject of a separate case study in the project, this intervention was analysed on the basis of the same methodology, thus focusing on the actors and institutions involved; the question of mandates for intervention; and the actual practice of intervention in Liberia. The case study shows that the decision to intervene with military means by ECOMOG was highly irregular and *ultra vires* in terms of ECOWAS procedures and regulations. In combination with Nigerian domination of the intervention force, ECOMOG and its constitutive procedures were not sufficiently embedded in structures guaranteeing proper institutionalized control.

On the contrary, it rested to a considerable extent on conjunctural circumstances, in which calculations of self-interest formed a crucial part of the motivations for intervention. Thus, Nigeria, Guinea-Conakry and

several other member states intervened with the object to stop one Liberian faction in its tracks and prevent it from taking power by violent means, rather than to realize a peaceful settlement as such. As other countries (Burkina Faso and Ivory Coast) had supported this faction from the beginning of the conflict, the decision to intervene, as well as its implementation, were the subject of serious controversy between West African governments. This affected the nature of ECOMOG's strategy and the pattern, course and length of its intervention.

Its strategy first focused on unarmed civilian groups, which did not control Liberia, and denying political victory to the warring factions, which *did* dominate the country. This contributed to the protracted nature of the intervention. Partly because of its limited military capabilities, ECOMOG colluded with and aided various warring factions. This helped to prolong the war, eliminated what was left of its neutrality and reduced its role to that of another party to the conflict. Similarly, for some time the diplomatic démarches undertaken to mediate a settlement constituted, not so much an attempt to realize a solution, as a manifestation of a power struggle in which West African governments aligned with different factions in the Liberian conflict: conflict mediation thus became an expression of conflict itself. One special aspect that contributed to the protracted character of the Liberian conflict was that the intervening countries failed to contain the developing war economy with effective economic sanctions. To the contrary, to some extent ECOMOG and various West African governments even participated in the plundering of Liberian resources.

In the end, settlement followed on a stalemate increasingly intolerable for the intervening countries, which acknowledged the domination of the armed factions, in particular the one whose violent rise to power they had sought to block. In the process, this reinforced the militarization of Liberian politics, marginalized the civilian political class and civil society, and encouraged the people, in so far as this was still necessary, to accept a settlement whose durability was perforce questionable.

Unfortunately, many of the elements of the Liberian conflict are also present in ECOMOG's intervention in Sierra Leone, where the (mainly Nigerian) contingents have recently expanded in an effort to contain the escalating conflict between the regime of President Kabbah and the rebels of the Revolutionary United Front (RUF) and members of the former military junta.

Comparative Perspectives

One important aspect of the controversy surrounding the ECOWAS/ECOMOG intervention in Liberia was the lack of consensus on certain basic norms in West Africa's inter-state relations. Thus, member states unashamedly intervened and tried to subvert regimes in other countries. This was, in turn, facilitated by the absence of basic norms to which regimes had to conform with regard to their *domestic* political orders, such as human rights, the treatment of minorities and, more generally, good governance. Moreover, while the region possesses, in the Economic Community of West African States, a forum for regular dialogue, the consultative opportunities this provides to member states seem to be comparatively underdeveloped and underutilized in part because of inter-state rivalries which centre especially around the position of Nigeria vis-à-vis the Francophone countries. Thus, in so far as the organization manages to respond to conflicts, it is activated only once conflicts have passed the threshold of violence and, indeed, escalated. It is true that ECOWAS has also become active in the crises in Sierra Leone and Guinea-Bissau. Moreover, it is likely to remain a part of West Africa's security landscape. Yet the controversies surrounding the intervention in Liberia and, related to this, Nigeria's willingness to use its politico-military clout to enforce compliance, have not increased the mediatory and preventive potential of ECOWAS.

The Organization for Security and Cooperation in Europe

This state of affairs contrasts rather sharply with the practice in the Organization for Security and Cooperation in Europe. Like ECOWAS, the OSCE has had to shift its attention in the post-Cold War period to internal conflicts. Moreover, it has transformed itself from a bipolar dialogue forum to a multilateral structure with semi-autonomous institutions. The OSCE is predisposed to a conflict prevention approach both conceptually and structurally. The OSCE manifests a number of characteristics that support this: inclusiveness; sovereign equality; broad based membership; consensus decision-making; emphasis on dialogue; the political character of its norms and activities; the absence of enforcement powers or recourse to legally binding decisions; compliance sought through persuasion and not coercion; a comprehensive and cooperative approach to security; and an emphasis on cooperative implementation.

Political consultation is at the heart of the way the OSCE works and this infuses the organization's approach to conflict prevention. This is symbolized by the operation of its Permanent Council, a permanent forum for dialogue and decision-making. Comprising ambassadors of each of the participating states, its operation in Vienna combines a rigid formality with a style of corridor diplomacy in an informally structured consultative process. Yet despite the emphasis on dialogue, power politics (e.g. in Kosovo) is not absent and the weight of key state actors can unduly influence both decisions and actions. Moreover, the effectiveness of cooperative conflict prevention depends upon the willingness of states to use the various instruments at their disposal, or to create new options for action.

The central political actor of the OSCE is the Chairman-in-Office, who is accountable to the Permanent Council. This is an annually rotating position held by the foreign minister of one of the OSCE participating states. With responsibility for facilitating the Permanent Council, the High Commissioner on National Minorities, long-term missions and personal representatives, the Chairman-in-Office is crucial in galvanizing

the OSCE into action. The increasing use of personal representatives has provided the Chairman-in-Office scope for more direct action, circumventing some of the inherent caution involved in a consensus decision-making procedure and complementing the work of the High Commissioner and the long-term missions.

A body of formalized instruments and mechanisms exists in the political, military and human dimensions. Although being important in terms of the OSCE's conceptual architecture of conflict prevention, in practice these have been of limited operational utility. Even when these mechanisms have been utilized their effectiveness has been limited by the narrowness of their ambition and the inherent caution of the states employing them.

The two main foci of the OSCE's conflict prevention work are the High Commissioner on National Minorities and the long-term missions. The High Commissioner is an instrument linking security and respect for human rights to the causes of conflict. Established in 1993 to prevent inter-state conflicts that might have a minority component, the instrument attempts to initiate a new approach to conflict (both inter- and intra-state ones) through intervention, containment and prevention rather than through conflict *management*. Early warning, early action and early mediation are the motors of the High Commissioner's activity. The instrument has been given considerable autonomy since involvement in any situation is at the High Commissioner's discretion without the need for prior approval from the political bodies of the OSCE. This provides great flexibility. The High Commissioner is empowered to issue a formal early warning to the Permanent Council if a situation assumes a particularly disturbing character, threatening an escalation to outright conflict. To date no early warnings have been issued. Nevertheless, the High Commissioner acts as an informal early warning process for the Permanent Council and Chairman-in-Office. In order to do this the High Commissioner follows a range of issues that could potentially be conflictual. These include the manner in which governments and minorities interact concerning identity, citizenship, political participation, education, language usage and access to resources.

The long-term objective for the High Commissioner is to set in motion a process of dialogue between governments and minorities to address ongoing relationships and underlying causes of tensions. As such the High Commissioner attempts to facilitate sustainable solutions based on consent. A range of tools has promoted dialogue and confidence. Firstly, recommendations written by the High Commissioner provide a framework in which governments and minorities can address general and specific legal, policy, institutional and process issues. These are intended as a non-binding cooperative instrument. Secondly, the High Commissioner is concerned with the promotion of mechanisms to advance government-minority dialogue. This encompasses dialogue as a process to enhance mutual understanding; dialogue mechanisms to enhance institutional capacities; and dialogue on specific contentious issues. Thirdly, the High Commissioner is available to engage in crisis prevention diplomacy. Finally, tension reducing projects are promoted to target aid to specific issues that exacerbate tension.

The High Commissioner's work is about *process*: putting and keeping issues on the agenda; sensitizing audiences and actors to the priority of issues; and not itself producing concrete outcomes but facilitating the parties to reach these themselves. The High Commissioner is intended to operate as an impartial third party mediator, not as an advocate for minority rights. Nevertheless, in practice non-state entities have been brought nearer to the centre of the conflict prevention stage. This contrasts markedly with ECOWAS which, even though it focused at the early stages of the Liberian civil war on the civilian political class (if not civil society), betrays a strong *étatiste* inclination.

Long-term missions may have various responsibilities. They play a complementary role to the High Commissioner, but they have a wider remit for action, not just focusing on national minority related issues. Located in countries in which there is a perceived threat to stability, the ongoing presence makes missions a very intrusive instrument. Mandates are politically formulated by the Permanent Council according to need and are therefore highly context specific. Missions possess as much flexibility and scope for action as the

Permanent Council, including the host state, is prepared to designate. The formulation of mandates is usually broad and comprehensive. This enables missions to function in line with changing dynamics and to address unexpected developments without the necessity of reformulating their mandates.

The preventive functions of missions fall under a broad umbrella: the promotion of dialogue; engagement in human dimension issues; advice on legislative measures and monitoring the implementation of legislation; the provision of technical assistance; assuming a confidence building role; and local crisis management. Missions operate in the sphere of early warning, as political antennae for the OSCE. They also have proactive roles to disseminate information within societies and among the political elite. As such missions are non-traditional diplomatic instruments, established and run by state actors. However, none of the missions that have been established to date have been terminated. This leads host states sometimes to question what kind of exit strategies the OSCE has, as well as the relationship between the provision of solidarity and the creation of dependence. In particular, some states feel that the prolonged existence of missions is more of a stigma than a sign of support or inclusive incorporation into the broader European community of states. For other states, however, they remain cooperative rather than intrusive instruments, the sign of the international community's concern in the face of considerable tensions or crises. As with the High Commissioner, the missions have to be seen as political rather than legal instruments. Nevertheless, their operation has to be viewed in the context of broader geo-political and strategic concerns, especially the wider puzzle of relations with the European Union, NATO and the Russian Federation.

The OSCE has evolved a comprehensive net of conflict prevention capacities but in a piecemeal and often intuitive, rather than systematic, fashion. Nevertheless, experience has shown that the net is not impervious to tensions that threaten conflicts. This is particularly the case with the examples of Chechnya, Albania and Kosovo. These experiences raise a question that is particularly difficult for an international organization to answer, but which might become increasingly prevalent: at what point do human rights violations perpetrated by a state forfeit its right to the inalienable right of territorial integrity?

Limitations in the operation of the OSCE's conflict prevention architecture can be detected in the following areas: the nature of the instruments and mechanisms themselves; the question of the universality of standards as they apply within the OSCE; the functioning of early warning (especially in the economic dimension) and, more particularly, the ability to act appropriately on the basis of information received; the internal operation of the OSCE; and its public profile. Above all, the political will of participating states to hold other states accountable for their actions and to be prepared to act correspondingly is critical. This emphasizes the fact that the OSCE disposes of 'soft' measures in its search for consensus, cooperation and hence conflict prevention. The OSCE itself has not employed military or enforcement capacities to date. However, the OSCE operates in a broad context of inter-locking institutions, which makes it possible to conclude agreements which, if need be, can be enforced by other organizations such as NATO.

Conflict prevention in the OSCE is less oriented towards legally binding commitments and more towards questions of process, confidence and cooperation, characterized by a politico-diplomatic and not legalistic approach. Nevertheless, this combines with the establishment of a body of norms and standards that provide a sound foundation for a rights based approach to conflict prevention. One of the fundamental achievements of the OSCE in developing a conflict prevention regime is the principle that commitments accepted in the human dimension constitute a direct and rightful concern of all participating states and are not exclusively an internal affair of the state concerned. Yet the practicalities of upholding this right have been difficult. The OSCE, however, as a community of states has chosen to use this as a framework and to develop its operational capacities away from complicated mechanisms and instruments towards the use of politically designed instruments, like the missions, High Commissioner and personal representatives.

While it is very hard to draw conclusions, based on empirical evidence, about the effectiveness of OSCE instruments in the field of conflict prevention, the OSCE is in any case the product of particular geo-political, cultural and temporal circumstances. It would therefore not be easy to use it as a blue-print or model for

direct export to West Africa. The West African region, as shown above, has its own specific political, economic, historical and cultural circumstances which have a direct bearing on experiences in conflicts and conflict mediation. Nevertheless, the OSCE and the West African region possess, besides many contrasts, also some interesting parallels which could perhaps be worked upon to reinforce West African capabilities with regard to containment, if not the prevention, of conflicts.

What are these parallels? Firstly, like ECOWAS the OSCE is marked by broad and inclusive membership on the basis of equality. Even if there is a power dynamic which prevents equal influence on the basis of equal access, there is, as in West Africa, no (formal) hierarchy in relations. In the OSCE there is a strong emphasis on political norms and the usage of informal procedures rather than formal mechanisms, something that parallels the (West) African preference for non-legal and informal ways of inter-state interaction. The OSCE's orientation towards questions of *process*, confidence and cooperation, rather than straightforward answers and legally binding commitments, fits well in the West African context. The centrality of the promotion of *dialogue* in the OSCE would be equally important in West Africa. While the Malian conflict shows that dialogue is sometimes an important part of West African approaches to civil strife, in the Liberian crisis such communication was often lacking between the region's state elites. The presence of multiple fora for constant consultations between state elites might, if nothing else, sensitize the latter more to each other's needs and discourage zero sum perceptions of politics than is possible through the present irregular consultations and half-yearly meetings in ECOWAS. This is in line with the recently endorsed plan in ECOWAS to establish a 'Mediation and Security Council' which would be able to 'meet as often as necessary'. Also, the cooperative form of intervention that underlies the work of long-term missions contrasts in an attractive way with the coercive and controversial interventions of ECOMOG. The underlying idea of third parties acting, not as resolvers of conflict but as facilitators of resolution by the parties themselves, could similarly enhance West Africa's mediatory capacities.

Nevertheless, while the issue of excluded groups and the absence of dialogue between state and society, so much the focus of OSCE concern, has equal if not greater importance in West Africa, it would not be easy to introduce some of the OSCE's institutions to the region. The OSCE's recognition that certain conflicts are not merely the domain of traditional diplomacy and peacekeeping is in line with the growing importance of (international) NGOs in West African conflict mediation. Yet, this premise would not be easily accepted in a structure like ECOWAS, which is still almost exclusively dominated by state elite structures and interests. Exclusion of ethnic groups, in particular, constitutes a very sensitive political issue that would require circumspect manoeuvring by (external) third parties. The OSCE has accepted that political pressure may be applied by states to other states as regards questions of the human dimension. While ECOWAS has, since the early 1990s, issued some cautious policy documents on matters of member states' domestic political orders, the West African region would clearly have to go some way before it has developed a similar 'right of oversight'.

The practice that the OSCE's High Commissioner on National Minorities may intervene at his own discretion would be no mean thing in the West African situation. Just as, incidentally, in the European context where East European states, weakened by processes of transition, were in no position to refuse such intrusion. It remains to be seen, moreover, whether OSCE intrusion will continue to be allowed in the future as it was during the (early) 1990s. The fact that the OSCE High Commissioner works on the basis of non-binding recommendations, which makes (East) European states more receptive to listen, would clearly increase the chance of acceptance of such an institution in West Africa. Yet, in turn, it would require constant process and attention on the part of such an institution if it would like to affect situations of (potential) conflict.

OSCE long-term missions can have, or be perceived to have, a rather intrusive and permanent character. One should not automatically presume that such a mechanism would be acceptable in the West African context, even though ECOWAS recently approved a plan for the establishment of bureaus in member states

for the collection of early warning data. Moreover, experiences of OSCE missions have shown that it is difficult to establish constant and substantive dialogue between states and sections of civil society. Political culture is not easily transformed.

Yet, the OSCE's targeting of dialogue at decision-makers would be highly relevant in West Africa. As mentioned above much would be won if more permanent consultation procedures or fora could sensitize state elites towards each other's needs and, as a basic minimum, keep them from openly subverting each other's domestic political orders or contributing towards the escalation of conflict. The example of the Liberian crisis and the role played by Burkina Faso and Ivory Coast are pertinent here.

The Central American Peace Initiatives

This is perhaps also the main point of convergence between the Central American and West African experiences. The mediation processes that unfolded in the Central American region from the mid or late 1980s depended very much on the cooperation between the heads of state of the different countries. As these processes depended otherwise mainly on the unique combination of certain specific, conjunctural circumstances, it would be difficult to apply them as a model to another region and another time. As the Central American experience was very specific it is not easy to make useful comparisons with, for example, the West African region.

Thus, the peace plan of Oscar Arias was successful because it took into consideration the multilevel and multidimensional character of the Central American conflict. The regional accord served as a catalyst for the national peace negotiations in Nicaragua, El Salvador and Guatemala.

The so-called Esquipulas II process incorporated the basic elements that characterize the regional setting and the lessons learnt from previous proposals. As Central America required a lasting peace guaranteeing democratization and development of each country and the region as a whole, the 'peace-democracy-development' trilogy was formulated, signalling that settlement had to go far beyond a cease-fire. This transformed Esquipulas II from an isolated presidential act into an actual *process* of continual adaptation in pursuit of national and regional peace. Esquipulas II was unique in the sense that it represented a regional solution proposed by one country, which was relatively outside the various national and regional conflicts (Costa Rica). The Esquipulas Accord was signed in good faith and did not require an obligatory commitment, thereby eliminating the need for legislative ratification. Furthermore, timely lobbying for the Accord in Washington and Europe was a key to its success, as the various conflicts had an important external dimension in the form of US involvement.

Presidential summits were the main level of decision-making, which facilitated negotiations and confidence-building among the conflicting parties. There is an obvious parallel here with the political situation in West Africa, where political decision-making, both in domestic political orders and in inter-state organizations, is to a considerable extent monopolized by the heads of state. In Central America, too, all major decisions were taken and monitored by the presidents themselves, making them responsible for the success or failure of the initiative. Implementation and monitoring of presidential decisions were the responsibility of the foreign ministers. Because of this presidential involvement the issue of mandate was hardly a problem. It also meant that each party knew that his counterpart made promises that he could actually keep. As Esquipulas sought to introduce not only a cease-fire, but also to set the region on a course of democratization, it had and has, like the OSCE in Europe, a marked process orientation. While this provides the Central American experience a significance beyond purely conjunctural circumstances, the origins of the process also make it harder to copy in other contexts.

Presidential consensus was expressed in a flexible way in a document of principles, although the heads of state did agree on the commitments of simultaneity and symmetry. Significantly, the peace process also

involved non-governmental actors such as armed groups, political parties and pressure groups, as well as third parties as the UN, the OAS and the members of the Contadora Group. Implementation was allowed to respond to national needs in recognition of each country's particular conditions, without affecting the heart of the agreement.

If one would have to list the conditions for success one must cite the convergence of internal factors and external ones (changing international conditions) and the rise of a new generation of leaders and their position in the national balance of power. However, the Esquipulas Accord itself helped the process along through its flexibility and adaptability, circumventing the paralysis of cease-fire accords. The key elements of Esquipulas were cessation of hostilities, national reconciliation, free elections and democratization.

The peace processes in Nicaragua, El Salvador and Guatemala all began with the establishment of a National Reconciliation Commission, which helped to open the way for a negotiated settlement. The national peace experience within the framework of Esquipulas began in Nicaragua. This case was developed under the umbrella of the regional peace process. Thus, Nicaragua did not create its own mechanisms and procedures, but certain (international) entities were established to verify and demobilize the armed groups. El Salvador and Guatemala installed Governmental Peace Commissions composed of civilians and invited UN mediation. The Salvadoran and Guatemalan processes amounted to structured negotiations with agendas, procedures and specific matters, as well as a building-block approach. In Nicaragua, however, the cease-fire and democratization depended on local events and the direct action of the presidential summits. Yet in all cases the role of UN and OAS missions constituted a key element as they implemented and monitored the fulfilment of commitments. Lacking the elements of the Salvadoran and Guatemalan processes, as well as limiting itself to a few short-term tasks, the process of national reconciliation failed in Nicaragua. The structural changes required for success were absent. In both El Salvador and Guatemala conditions favoured success because the conflicting parties and other national actors were inclined to obtain a peaceful settlement and because there was international pressure for a rapidly negotiated peace. In the Salvadoran case the accords created several entities, among which a Truth Commission which, together with the domestic actors, contributed to the success of the process. In Guatemala, while some commitments were not, or have not yet, been implemented, a condition for success was the inclusion of all national actors, including the indigenous population.

Conclusions

Several policy relevant conclusions could be drawn from the above, some of which were (also) articulated at the international conference held in Senegal (October 1998) to discuss, among others,⁶ the findings of the CPWA studies. Here only some of the key points will be mentioned, while for more detailed aspects one should refer to the four studies in question.

What springs to mind immediately if one looks at the regional dimensions of conflict prevention and conflict management in West Africa is the absence and/or deficient functioning of consultation procedures between the region's political elites. As compared to practices in the OSCE, consultative opportunities in West Africa are grossly underdeveloped and to a considerable extent dependent on conjunctural circumstances like personal ties between political leaders. This can easily have a negative effect on continuity and makes interaction and communication vulnerable and unpredictable. Especially in circumstances where the region's decision-making elites do not see eye to eye on certain issues.

There is, indeed, a glaring lack of consensus on certain basic norms or values, such as the unacceptability of subversion of each other's domestic political orders. In line with recent developments in ECOWAS itself one ought to encourage the establishment of more regular, (semi-)permanent consultation procedures, both formal and informal. These should stimulate consensus on such minimal norms and values. However, one of the problems is that the development of such consultation procedures itself requires the presence of a minimal regional consensus, which, in turn, revolves principally around the interaction between Nigeria and the other West African, especially Francophone, countries.

Improvement of this interaction is a key to a regional consensus. At a minimum, such a consensus should end the culture of impunity that characterizes West Africa's international relations and, for that matter, of the continent generally. Since the role of some West African countries in the Liberian crisis never met any negative sanction, the Liberian scenario of internal-regional conflict escalation could repeat itself any time in the future. Indeed, this is borne out by the regional ramifications of the crisis in the Great Lakes region, especially since 1998. Certain elements of the current crisis in Sierra Leone should similarly be viewed with concern.

Only if a minimal consensus on regional norms and values will develop can one think of encouraging the development of more far-reaching institutions such as the OSCE's long-term missions and High Commissioner on National Minorities.

In line with political developments in West Africa both the case study on ECOMOG and the conference concluded that ECOMOG should be reformed. It cannot simply be discarded. For better or for worse, ECOMOG will probably remain a feature of West Africa's security landscape. Reform is therefore of the essence.

One thing borne out by the Liberian crisis is the importance of economic sanctions, in the absence of which the various parties to the conflict could continue pursuing their objectives by violent means. While much has been written about the difficulties surrounding the upholding of international sanctions, there does not seem to be any alternative to stringent sanctions regimes, if one wishes to prevent the (spreading) of

6 This conference also evaluated the outcome of the West African case studies of the project 'Causes of Conflict in the Third World', which was also funded by the Netherlands Ministry of Foreign Affairs.

conflicts. This is especially true in marginalized regions, where outside powers decline to intervene by military means, and in contexts characterized by war economies.

War economies also put the whole concept of settlement of conflict in jeopardy. Research should focus on the development of tools and instruments through which third parties could affect such conflict situations.

The Liberian case also points to the importance of the particular *moment and context* of intervention. Should one intervene in conflicts where one military party has gained a predominant position? In this respect it should be realized that situations, in which multilateral conflict mediation and intervention become an expression of (another) conflict itself, are devastating for the reputation and effective functioning of international security structures.

One important aspect borne out by the two West African studies is the fact that military approaches to conflict, as well as solutions imposed in a top-down approach, seldom lead to permanent and durable peace. The Malian case points to the importance of involvement of civil society in attempts to restore peace and commence reconciliation. Provided similar structural contexts are present (characterized by, among others, an intolerable stalemate and the presence of influential third parties), some of the original and novel ways in which the Malians approached the Touareg conflict and its mediation⁷ could form a useful source of inspiration for efforts at conflict mediation and prevention in other cases.

As pointed out at the CPWA conference one could, more generally, try to encourage the reactivation of local institutions for the resolution of conflicts. However, the Malian case also points out that the role of civil society actors is not always constructive *per se*. If policy-making of external third parties, through support of civilian actors and institutions engaged in conflict prevention and mediation, is to affect conflicts and conflict mediation in a positive way one requires careful evaluation of the particular actors involved.

7 Such as the organization of inter-communal meetings, the special conference of the north, the introduction of decentralized structures and functionaries and the use of powerful symbolism like the *Flamme de la Paix*. See further Biaya's study cited in note 1.