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National Dialogues in Peacebuilding and Transitions

CREATIVITY AND ADAPTIVE THINKING

Elizabeth Murray and Susan Stigant, editors



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**MEDIATION,
NEGOTIATION
& DIALOGUE**

ABOUT THE REPORT

In response to requests for advice and support from international organizations and policymakers in countries considering national dialogues, the United States Institute of Peace presents this report examining six markedly different dialogues in the Central African Republic, Kenya, Lebanon, Senegal, Tunisia, and Yemen. Through the case studies, comparisons of the processes, explanations of lessons learned, and sets of detailed questions, it offers guidance and tools for practitioners and policymakers.

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Cover photo: Clerics vote during a press conference held in Sana'a, Yemen, on September 26, 2013, in response to issues raised in Yemen's national dialogue. (Photo by Hani Mohammed/AP)

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Summary



The proliferation of national dialogues in the early 2010s prompted the United States Institute of Peace to explore diverse experiences—in the Central African Republic, Kenya, Lebanon, Senegal, Tunisia, and Yemen—to draw lessons for practitioners and policy-makers from those case studies to design future dialogues that most effectively advance peacebuilding.

A national dialogue can be a useful approach along the path toward sustainable peace. In line with the foundational principles of peacebuilding, the shape, form, and structure of any national dialogue need to be tailored to the specific context. The temptation is to look to national dialogues as *the* transformative step in a peace agreement. Expectations are high: achieve inclusion; broaden participation; advance justice; and resolve fundamental issues of identity, forms of governance, constitutional priorities, and political reform. National dialogues, however, are not a panacea. They are best conceived as part of a broader continuum of mutually reinforcing local, subnational, and national efforts that foster dialogue, forge agreements, and drive toward peace.

In all national dialogues, the decisions made during the preparatory phase set the tone for the process and affect its ultimate legitimacy in the eyes of political forces and the public. A clear mandate for the dialogue, whether derived formally or informally, from a national process or an international process, can help buffer

interference and maintain momentum. The selection of a convener—whether an individual, group, or organization—also affects public perceptions of the dialogue. Although national conveners can increase ownership and buy-in to a process, bias is a risk, particularly when a dialogue is convened by a sitting leader.

National dialogues with hundreds of delegates and broad agendas offer the possibility of bringing traditionally underrepresented groups to the table for a conversation and problem-solving about the drivers of conflict in a country. At the same time, these broad processes may become bogged down by disagreement or complex structures or produce an untenable number of recommendations. Smaller dialogues can allow for more in-depth conversations, particularly around sensitive issues, but may reinforce existing power structures.

Dialogues are far more likely to engender meaningful change when they are backed by a credible coalition that can work toward implementation of the dialogue through law or policy. A clear implementation plan prior to the dialogue's inception is also critical to provide strategic momentum beyond the final conference or report. International partners can play an important role in keeping attention and resources focused on implementation. In earlier phases, international engagement needs to be measured to encourage genuine national ownership.

ABBREVIATIONS AND ACRONYMS

AN	Assises Nationales (Senegal)	KNDR	Kenya National Dialogue and Reconciliation
AU	African Union	LAS	League of Arab States
CAR	Central African Republic	MLCJ	Mouvement de Libération Centrafricaine pour la Justice
CCC	Constitutional Consensus Commission (Tunisia)	MSU	UN Mediation Support Unit
CIPEV	Commission of Inquiry into Post Election Violence (Kenya)	NCA	National Constituent Assembly (Tunisia)
CNRI	National Commission on the Reform of Institutions (Senegal)	NDC	National Dialogue Conference (Yemen)
CPR	Congress for the Republic (Tunisia)	ODM	Orange Democratic Movement (Kenya)
CSI	Common Space Initiative (Lebanon)	ONAT	National Order of Tunisian Advocates
CTO	Technical Organizing Committee (Central African Republic)	PDS	Senegalese Democratic Party
DCG	Donor Coordination Group (Kenya)	PLO	Palestinian Liberation Organization
DDR	disarmament, demobilization, and reintegration	PNU	Party of National Unity (Kenya)
DDRR	disarmament, demobilization, repatriation, and reintegration	STL	Special Tribunal for Lebanon
ECCAS	Economic Community of Central African States	TJRC	Truth Justice and Reconciliation Commission (Kenya)
FPRC	Front Populaire pour la Renaissance de la Centrafrique	UFDR	Union of Democratic Forces for Unity (Central African Republic)
FSS	Front Siggil Senegal	UFR	Union des Forces Républicaines (Central African Republic)
GCC	Gulf Cooperation Council	UFRF	Union des Forces Républiques Fondamentales (Central African Republic)
GCCI	Gulf Cooperation Council Initiative	UGTT	Tunisian General Labor Union
GPC	General People's Congress (Yemen)	UNDP	United Nations Development Programme
IDPs	internally displaced persons	UPC	Union Peace Conference, 21st Century Panglong (Myanmar)
IREC	Independent Review Commission (Kenya)	UTICA	Tunisian Union of Industry, Trade, and Artisans
JMP	Joint Meeting Parties (Yemen)		



South Sudanese President Salva Kiir Mayardit, right, and Ugandan President Yoweri Museveni attend the opening of South Sudan's National Dialogue committee in Juba, South Sudan, on May 22, 2017. (Photo by Jok Solomun/Reuters)

Introduction

By Elizabeth Murray and Susan Stigant

National dialogues continue to make headlines around the world, having recently been proposed or convened in countries grappling with some of the world's most persistent and deadly conflicts. Motivations driving these processes are varied and complex. In some circumstances, leaders—civic or political elites—hold a genuine conviction that an inclusive conversation can forge progress toward elusive peace. In others, sitting leaders seek to cement their power, extend their terms, or co-opt opposition while placating critics under the guise of consultation and inclusion.

In 2020, several national dialogue processes were under discussion or underway around the globe. In South Sudan, the dialogue, which had been announced in

2016, culminated in a national conference in November 2020.¹ In response to early criticism, President Salva Kiir Mayardit responded to calls for greater independence by stepping down from his role as chair in 2017. The steering committee subsequently negotiated confidence-building measures, including the release of some political prisoners. South Sudanese participated actively and vocally in the local and state-level conferences. Preliminary reports seem to have documented faithfully citizens' views, including criticism of the sitting government and calls for leadership change. Many remain reticent, however. Some political and armed opposition, along with some civic groups, question the value of a national dialogue during an ongoing civil war, staggering food insecurity, and consistent reports

of human rights violations and closing political space. Many are closely watching the dialogue and awaiting a clear articulation—and concrete demonstration—of its relevance to the national peace process and reduction in communal conflict.

Zimbabweans also explored national dialogue options to address the legacy of President Robert Mugabe's thirty-year rule, the political crisis resulting from the 2018 elections, and a spiraling economic situation. In February 2019, President Emmerson Mnangagwa convened a first meeting of a national dialogue at his residence. This Political Actors Dialogue received some accolades from neighboring countries but met quick criticism domestically. The main political opposition, which withheld recognition of the outcome of the 2018 elections, rejected Mnangagwa's legitimacy as the convener and called for an agenda that reflected the country's political, human rights, and economic challenges. Civil society and faith-based organizations were not invited, nor was a roadmap for their inclusion offered. Outside this government-led effort, faith-led initiatives by the Zimbabwe Council of Churches and the Catholic Commission for Justice and Peace also sought to bring Zimbabweans together on issues of national urgency. Against the backdrop of a deteriorating humanitarian and economic situation, persistent human rights violations, and closing space for civil society, progress requires patience, persistence, and careful navigation.

In 2019 in Cameroon, where the previous three years had seen the country's long-standing separatist conflict intensify, President Paul Biya convened a national dialogue. The week-long event met with mixed reactions. Proposals that emerged from the dialogue, including the election of local governors, drew some support. Most separatist groups refused to attend, however. Skeptics point out that as of early 2020 Biya had yet to implement the recommendations. Violence and ongoing reports of human rights violations persisted. At the same time, various mediation initiatives sought to build on some of the agreements reached through the dialogue.

Any hopes of renewing Myanmar's otherwise defunct Union Peace Conference (UPC), also known as the 21st Century Panglong, were dashed on February 1, 2021, when the Myanmar army (Tatmadaw) launched a coup, detained the political leadership, and began deploying brutal violence on its own population. The UPC itself failed in 2019 when the Arakan Army and other key armed groups adopted a more offensive strategy for their political objectives, which the Myanmar army responded to by employing slash-and-burn tactics, particularly in Rakhine State. The UPC never really gained significant traction with ethnic armed organizations (EAOs), largely because it required EAOs to sign a ceasefire before discussing a political settlement. This left powerful non-signatory groups outside the dialogue, groups that represent 80 percent of the country's EAOs. Another key reason for the failure of the peace process was its inability to focus on any of the core drivers of conflict: armed actor control of the economy, how to share the country's resources between states and governments, and how to address security concerns in a meaningful way. Following the coup, all ceasefires are off the table, since as of the end of March 2021, nearly all EAOs have announced their intentions to defend Myanmar's people from the Tatmadaw's brutal attack on their lives. EAOs have issued statements that the coup negates the ceasefire framework, and some are now in active conflict with the military. While Myanmar is in midst of what could be a prolonged and bloody civil war, some hopeful conversations are taking place between the representation of the deposed civilian government, the Committee Representing the Pyidaungsu Hluttaw, and the EAOs. The committee drafted a charter that meets the needs of most ethnic stakeholders and has done so in careful consultation with them. It has further abolished the 2008 constitution—a long-term objective of the EAOs. Discussions are finally taking place on sharing of natural resources, federalism, and concepts of a federal army.

Over the years, there have been different calls for and attempts at national dialogue in Iraq, but lack of political will has stood as a key barrier. Most recently, President

Table 1. Large v. Small Number of Delegates

Large Number of Delegates	Small Number of Delegates
<p>Senegal June 2008–May 2009, participation open to the public</p>	<p>Lebanon 2006, convener Nabih Berri and 14 delegates 2008–2012, convener Michel Sleiman and 19 delegates</p>
<p>Yemen March 2013–January 2014, 565 delegates</p>	<p>Kenya January 2008–July 2008, 8 delegates</p>
<p>Central African Republic May 2015, more than 800 delegates</p>	<p>Tunisia October 2014–June 2014, 2 delegates from each of 21 parties</p>

Barham Salih called for a national dialogue in response to intensifying nationwide protests in October 2019 over unemployment, lack of government services, and corruption. The national dialogue did not come to fruition in 2019, and protests have continued, accompanied by political paralysis following the resignation of Prime Minister Adel Abdul Mahdi and two failed attempts to replace him. Prime Minister Mustafa al-Kadhimi, confirmed in May 2020, has mentioned national dialogue as a priority for his cabinet. Bringing a national dialogue to fruition in Iraq will be immensely difficult amidst insecurity, political polarization, and lack of the necessary will.

This look back over the last two years reveals that national dialogues continue to be proposed and convened around the world. It also highlights questions about which situations are ripe for national dialogue and the conditions under which this peacebuilding approach can help to end violence and open a pathway to peace. Overall, it seems that national dialogues are being met with more skepticism—or perhaps with greater soberness—than during their initial resurgence several years ago. Disappointment—including in

Sudan’s national dialogue led by then President Omar al-Bashir and boycotted by significant elements of the opposition—has moderated expectations and, in some cases, tarnished the romantic view of these processes.

Yet national dialogues do continue to hold significant appeal as countries in conflict or transition seek new ways to prevent and resolve conflict nonviolently. In an era when the human toll of conflict remains unacceptably high, a deeper look at all of the approaches in the peacebuilding toolbox is certainly warranted. Despite evidence about the value of inclusion and normative frameworks to promote civilian voices, peace processes still tilt toward exclusion and elevating voices of armed groups over civilians. At their best, national dialogue processes hold the promise of adding critical momentum to transforming conflict inclusively. By gathering relevant stakeholder groups, facilitating an open and genuine discussion of the sources of their country’s conflict, and exploring the legacy of violence for individuals and communities, national dialogues have the potential to forge consensus on the policy, legislative, and constitutional arrangements required to find a way to live together peacefully.

Often, the novelty of these processes lies in bringing previously excluded groups to the negotiating table to contribute to conversations on their country's future. This "leveling of the playing field" is rightly appealing to groups that have previously been left out, to pragmatists who recognize the evidence that exclusion undermines sustainable agreements, and to the international community. A second enticing aspect of national dialogues is their ostensible local ownership. Externally imposed or driven peace processes are often criticized for being disconnected from the realities on the ground and are met with resentment from citizens, communities, or groups that do not feel they were duly consulted. A national dialogue, which offers opportunities for public participation and delegates representing a broader range of society, can ensure that the resulting agreements and solutions are locally rooted and backed by broader consensus. Such processes—ones that are broadly inclusive, locally driven, and open to public participation—represent an ideal, which is not always achieved.

BACKGROUND AND METHODOLOGY

Although the visibility of national dialogues surged several years ago, they are not a new phenomenon. Parallels can be drawn to the 1787 US Constitutional Convention and to the 1789 Estates General in France, which may have been the inspiration for the round of national conferences held in West Africa in the late 1980s and early 1990s.² Elsewhere in the world, Guatemala and Poland also embarked on national dialogues around 1990, in markedly different circumstances. Guatemala was emerging from a civil war, and pro-democracy forces in Poland were beginning to negotiate the country's transition away from communism.

A few decades after the cluster of national conferences in West Africa, the Yemen National Dialogue Conference and Tunisia's Nobel Prize-winning Quartet propelled national dialogues back into view. At the same time, quiet discussions began in Sudan about the possibility of a national dialogue to address

that country's long-standing conflicts. When conditions in neighboring Libya began to deteriorate as rival militias jockeyed for power and the General National Congress found its influence rapidly decreasing, a national dialogue was proposed as a solution, although mounting instability prevented an inclusive one from being fully realized. In that moment, it seemed that national dialogue had been added to the list of core elements—unity government, transitional justice, security-sector reform, anti-corruption and transparency, constitution-making, and elections—contemplated for a peace agreement.

Between 2013 and 2014, the United States Institute of Peace (USIP) received several requests for advice and support from international organizations and from policymakers in countries considering national dialogues. At the time, the Institute had no direct experience in these processes, but hypothesized that some of the research, experience, practice and partnerships on negotiation, mediation, dialogue, facilitation, constitution-making, conflict analysis, transitional justice, and election violence prevention would be applicable. However, there were significant questions and a gap in the tools available. In response to these inquiries, the Institute decided to undertake a comparative research project that could serve as a resource for USIP programs and advisers, for those designing dialogues, and for policymakers and assistance providers considering how to support national dialogues.

After consultations inside and outside of the organization, including top-line research on more than twenty national dialogues and an internal interactive workshop to select cases, the Institute decided that its contribution would be to undertake a series of descriptive case studies on recent national dialogues in collaboration with partners in those countries. The hope is that in reviewing the diverse landscape of national dialogues, readers will become aware of a broader range of options and fully appreciate the need to tailor a national dialogue according to the context.

The first task was to define *national dialogue*. This was not straightforward. Scholars and practitioners have used the term to describe a range of diverse arrangements. Although exploring that diversity of processes can lead to more appropriately tailored approaches, an agreed definition would help clarify thinking and guide the selection of case studies accordingly. Drawing on the contexts where national dialogues were emerging, the decision ultimately was to focus on three criteria. One was an agenda that includes multiple questions and issues driving conflict, that is, not single-issue dialogues such as a national dialogue on environmental policy. Another was a process with the support of a “credible coalition” of stakeholders, usually individuals both within and outside the government, such that the results of the national dialogue have a reasonable chance of being implemented. Still another was a platform operating outside the permanent institutions of government, having been convened because these institutions are unwilling, are unable, or do not have the credibility and legitimacy to convene a broad-based dialogue.

Within the recent literature on national dialogues, definitions vary but tend to focus on the inclusion of a broad set of stakeholders. In the Oslo Forum background paper “The Promise and Perils of National Dialogues,” Katia Papagianni defines national dialogues as “inclusive negotiation processes designed to expand participation in political transitions beyond the incumbent elites to a wide array of political, military, and in some cases, civil society groups.” She acknowledges that these processes can take the form of elite negotiations but focuses on larger fora for the analysis. The Berghof Foundation’s 2017 *National Dialogue Handbook* definition highlights national ownership and the inclusion of a broad range of national stakeholders. The broader set of stakeholders distinguishes these processes from negotiation and mediation, which are centered on the main parties to the conflict. Similarly, the Inclusive Peace and Transition Initiative report states that national dialogues “provide an inclusive, broad, and participatory official negotiation framework, which can resolve political crises and lead countries into political transitions.”³

The Institute’s three-part operational definition of national dialogues—a broad agenda, the support (but not necessarily the inclusion) of a wide range of influential stakeholders, and their operation outside the permanent institutions of governance—is distinct from definitions in other recent work in an important way. Whereas other definitions require direct participation from a broad set of stakeholders beyond the political elite, the Institute’s does not. Indeed, three of the cases in this volume—the 2008 Kenya National Dialogue and Reconciliation (KNDR), Lebanon’s National Dialogues of 2006 and 2008–2012, and Tunisia’s Dialogue National of 2013–2014—were relatively small in number, and participants were limited to political elites.

These cases are included because the Institute’s partners asked specifically and repeatedly about them. Requests for advice or support often began, “We are worried that our transition is going in the wrong direction. We have read about Tunisia, and we are wondering if a national dialogue is the answer for us.” Or, “Kenya pulled back from the brink of civil war. We need to end the violence in [country name] too. We think that a national dialogue, power-sharing government, and new constitution is the policy approach that we should explore.” Tunisia had become a point of reference after it successfully pulled back from political deadlock. Its relative stability stood in stark relief to Libya and other countries of the Arab Spring. This only increased after the Quartet was awarded the Nobel Peace Prize. Kenya too was heralded for the compromise and the transformative agenda agreed to by the political elite following the election violence of 2007 and 2008.

Learning more about the hard-won successes was essential. What drove the decisions to name these national dialogues rather than negotiations? Understanding the complexity of the stories was key to not rejecting them as negotiations by some other name. Was there a commitment to broaden the dialogue at a future date? Or a desire to set an approach that was more participatory—informing citizens and



Hezbollah leader Hassan Nasrallah, right, talks to the leader of the Christian Lebanese Forces militia Samir Geagea, left, with March 8 alliance member Saad Hariri, center, in Beirut, Lebanon, on March 6, 2006. (Photo by Hassan Ibrahim, Pool, File/AP)

consulting them at key points—even if they were not “in the room”? Fundamentally, it seemed, this understanding was needed to manage the temptation to apply a model that might not be fit for purpose in another conflict—and to understand the interplay among national dialogues, peace negotiations, constitution-making, and other approaches.

Lebanon’s experience stood out for different reasons. The country’s small national dialogues had not had significant visibility beyond those who work on the Middle East and North Africa. The dialogues did not lead to any major changes. However, they did keep the lines of communication open between rival political factions during an extremely polarized period, serving as a way to “release steam” from the fraught political relationships. Even before most organizations contemplated expertise on national dialogue, the Common Space Initiative had

been established to “strengthen the culture of dialogue and consensus building to reach common understanding on key national issues and interests among Lebanon’s diverse groups.” The team and affiliates then built on their domestic experience to share skills, resources, and practices with people around the world. The Institute was interested in learning how Lebanon’s 2008 to 2012 national dialogue—despite or because of the more limited inclusion—sparked and gave space for a sustained, civic-led approach.

The six cases in this volume include three dialogues, in the Central African Republic (CAR), Senegal, and Yemen, whose broad agendas and inclusiveness closely approximate the “idealized” national dialogue in which the broadest range of national stakeholder groups convene in a large format to discuss ways to address the drivers of ongoing conflict.

The original vision of the research was that academics or practitioners from each country would research their respective national dialogue and write the case study based on a common framework of questions and dimensions. The objective was to enable quick reference and easy comparison between the documents. In four of the cases, national partners were involved in the research phase. Partners carried out tremendously rich and in-depth research and brought nuanced insights from their own observations. The deep relationships with key participants in the dialogues, as well as those not inside the room, were also valuable. In the case of Tunisia, key informant interviews and focus group discussions ultimately led to the publication of a book and academic articles. Institute staff or consultants from the United States or a third country ultimately authored or coauthored some of the cases. This was in part necessitated by concerns about the safety and security of some national partners. This endeavor was also intended as a learning opportunity to strengthen the Institute's internal knowledge.

A typology of national dialogues could contain dozens of characteristics and criteria and be the subject of a separate research project. Some of the defining features of national dialogues—and some important dimensions for policymakers and practitioners to consider in the design of these processes—are their degree of inclusiveness, the political context in which they occur, their mandate and objectives, and the amount of international involvement.

Each of the six cases is described in these dimensions and several others. Short sections in each case study cover the historical context, establishment and mandate, preparatory phase, agenda, delegates, structure, convening and facilitation, public participation opportunities, political and conflict developments during the dialogue, international involvement, immediate outcomes, and implementation and longer-term implications.

A short summary and timeline are included at the beginning of each case study. Each case also includes

a diagram showing participant composition and the structure of the dialogue.

THE CASE STUDIES

The case studies in this publication meet the Institute's operational definition—multi-issue dialogues, support of a credible coalition of actors, and operation outside the permanent institutions of governance—but aside from this are markedly heterogeneous. A compelling cluster of recent cases resulted in six studies in the Middle East and Africa. Equally interesting and consequential national dialogue processes are also taking place in other regions of the world and are garnering well-deserved attention from citizens, scholars, and policymakers.

The case studies in this report include the Central African Republic, Kenya, Lebanon, Senegal, Tunisia, and Yemen:

- CAR's May 2015 Bangui Forum convened approximately eight hundred Central Africans to discuss root causes of their country's recent civil war and agree on political solutions to complete the transitional period.
- Kenya's violence in the wake of the December 2007 elections motivated the African Union (AU) to convene the country's two leading political parties for the Kenya National Dialogue and Reconciliation.
- Lebanon's elite-level national dialogues in 2006 and from 2008 to 2012 sought to bridge divides between the country's two main political factions and break deadlock on thorny governance and power-sharing issues.
- Senegal's 2008–2009 Assises Nationales were convened by opposition political leaders and prominent civil society members as the country experienced increasing polarization amid suspicions that President Abdoulaye Wade would attempt to secure a third term.
- Tunisia's national dialogue—organized by four civil society organizations, the Quartet, subsequently honored with the 2016 Nobel Peace Prize—convened political party leaders who successfully

selected a caretaker government, agreed on a constitution, sent it to the National Constituent Assembly (NCA) for approval, and set a timetable for elections.

- Yemen's 2013–2014 National Dialogue Conference (NDC), initially stipulated in the 2011 Gulf Cooperation Council agreement that paved the way for President Ali Abdullah Saleh's departure from power following the Arab Spring protests, convened 565 delegates in Sana'a for ten months of deliberations that resulted in some 1,800 recommendations.

The six case studies vary across several dimensions, including but not limited to the degree of inclusion, intensity of violence that preceded or continued throughout the dialogue, international involvement, and sequencing and relationship of the national dialogue to other steps in the peace agreement or transition.

The conflict dynamics at the outset of these studies varied greatly. The Central African Republic's Bangui Forum was designed to be a crucial component of that country's sequenced, political transition. A ceasefire had been negotiated. In that space of relative calm, community consultations and the Bangui Forum were intended to forge agreement on core national issues. A constitutional referendum and elections would follow. However, the ceasefire did not stick, and the dialogue ultimately took place amid flagrant violations and ongoing, widespread violence. In Yemen, the NDC was also intended to be part of a political transition process. The conflict that would derail it was already erupting as the dialogue began and would eventually lead into the civil war that continues today. Post-election violence in Kenya in December 2007 and January 2008 did not tip into civil war but did ignite ethnic divisions and claim more than a thousand lives. The scale of the political and humanitarian crisis alarmed Kenyans and the international community, prompting the African Union to convene a dialogue under its auspices. In both Tunisia's national dialogue and Lebanon's of 2006, assassinations of political figures prompted waves of recriminations and consequent deadlock. Lebanon's

2008–2012 dialogue was also brought about by political deadlock coupled with fighting in West Beirut, followed by a ceasefire and national conference brokered by regional powers. Rising tensions in Senegal were intense for that country but mild relative to the contexts of the other dialogues.

International involvement was greater in the dialogues that emerged during more intense violence. Yemen's large national dialogue and Kenya's much smaller one were very heavily influenced by and received significant support from regional organizations and the United Nations. This was also the case in the Central African Republic, whereas in Lebanon, Senegal, and Tunisia, formal international support was minimal.

The relationship of the national dialogues to other steps in a peace agreement or transition, including constitution-making and elections, varied widely. The Tunisian dialogue had the most direct and clearly defined relationship to other major governance processes. The dialogue resulted in agreement on provisions of the draft to break the deadlock that had developed in the constituent assembly. Yemen's NDC was mandated to feed recommendations into that country's constitution-making process, although it was not entirely clear at the outset of the dialogue how this would occur. At the conclusion of the dialogue, the recommendations relevant to the constitution were extracted and handed over to a constitution-drafting committee. This committee's work, however, was truncated by the conflict that was already unfolding as the dialogue concluded. Kenya's dialogue resulted in a power-sharing agreement that set out a roadmap and timetable for constitution-making. Senegal's open and participatory national dialogue retained an unusual degree of distance from the permanent institutions of governance, but key recommendations from the dialogue led to constitutional amendments several years later and also served as a platform on which President Macky Sall, elected in 2012, would base his campaign. In CAR, the Bangui Forum had little relation to the process of

drafting a new constitution, but it did set a timetable for the constitutional referendum and the elections. Lebanon's national dialogues had no direct relationship to constitution-making, elections, or other major governance processes beyond keeping the channels of communication open between rival blocs at times of great tension.

Brief highlights from each of the case studies follow.

The Central African Republic's Bangui Forum

In the case study on CAR's 2015 Bangui Forum, Rachel Sullivan explores a national dialogue originally envisaged as the third and final step of the 2014 Brazzaville peace process to end the conflict between the government and two principal armed factions. Although the Bangui Forum was convened successfully, it occurred at the same time as a flagrantly violated ceasefire and ongoing armed conflict across much of the country. This case is thus useful as an exploration of some of the promises and pitfalls of holding a national dialogue during open conflict.

Popular consultations across the country in January and February 2015 with nearly twenty thousand Central Africans marked a departure from previous peace processes, which had barely engaged communities to understand their views and priorities. The national Preparatory Committee charged with these consultations relied on significant support from the United Nations Development Programme and the UN peacekeeping mission in CAR. The consultations were led by facilitation teams that brought individuals from different armed groups and national and international institutions together in the hope that participating citizens would feel enough affiliation with at least one of the facilitators to enable comfortable participation. The teams met significant logistical hurdles given the poor infrastructure in the country. Even more challenging were efforts by some armed groups to thwart the consultations as a protest against the ceasefire terms and roadmap. Consultations persisted despite these obstacles.

Central African engagement in these consultations was enthusiastic—a rare opportunity for citizens to interact directly with their government. The consultations were also noteworthy in their sequencing in the process. Many popular consultation phases will occur in parallel with a national-level conference or as a process nears its conclusion, but the Bangui Forum leveraged the consultations to develop the agenda and prepare the ground for the May 2015 national-level forum.

That gathering brought together more than eight hundred delegates for an eight-day conference that included deliberations within four thematic subcommittees. Owing to its short duration, the process was highly choreographed, and delegates were limited to three-minute speeches. This platform, however short, was welcomed by most participants, particularly by the many groups not represented in the ceasefire negotiations. The brevity of the dialogue and of the delegates' testimonies at the national forum necessarily limited the depth of the interactions.

In the implementation phase, the Bangui Forum has also faced serious obstacles. In many ways, the resulting Republican Pact for Peace, National Reconciliation, and Reconstruction remains a national point of reference several years on but has made few concrete steps toward implementation. The absence of a concrete plan on how the recommendations would be advanced as law or policy is one reason for the lack of progress. That the official monitoring committee was underfunded and quickly became mired in squabbles about resources further complicated progress. When the mandate of transitional President Catherine Samba-Panza ended with President Faustin-Archange Touadéra's election in 2016, the monitoring committee had no clear institutional home and fewer champions within government. These challenges in CAR offer useful opportunities for reflection about the needs for planning the implementation phase early and aligning it with political timelines.

Kenya National Dialogue and Reconciliation

The KNDR was an internationally mediated negotiation that successfully stemmed violence and led to a political settlement following contested elections and the resulting violence of late 2007 and early 2008. Author Neha Sanghrajka describes how the high-profile conveners—the African Union Panel of Eminent African Personalities—conferred legitimacy to the dialogue and contributed to advancing the negotiations between the parties. She explores how Kenyan civil society, drawing on well-organized structures, decades of advocacy experience, and novel mobilization by the private sector created pressure to convene the dialogue, fed into the discussion, influenced the options, and created momentum toward a settlement that reflected national concerns. The last is a particularly noteworthy achievement. Given only eight participants in the dialogue, the risk was high that the deal would be met with public disinterest or skepticism, especially given the deep polarization in the country.

Violence broke out in Kenya in December 2007 when incumbent Mwai Kibaki of the Party of National Unity was declared the victor of the presidential race after his opponent, Raila Odinga of the Orange Democratic Movement, had been reported early in the counting to have a lead. Ultimately claiming more than a thousand lives and displacing some six hundred thousand people, the violence sent shock waves through the country, its neighbors, and beyond.

The pressure from civil society on the protagonists to start dialogue was almost immediate. Business and media voices were notable in this effort. Four mainstream newspapers came together to run a joint headline of “Save our Country” on January 3, 2008, and a platform of prominent civic, religious, private-sector, business, and former military leaders was quickly established. Early overtures from possible mediators were rebuffed by Kibaki and Odinga. At that moment, civil society was calling on the parties to come to the table. Civic groups

also played a crucial role in informing the international community of developments from around the country, which further animated the action toward the dialogue.

Once AU Chair John Kufuor persuaded the parties to join a dialogue mediated by the Panel of Eminent African Personalities, chaired by Kofi Annan, civil society established and maintained consistent contact with the panel. Civic leaders met regularly with Annan to brief him on perspectives from around the country, held concurrent citizen dialogues, developed proposals that were tabled during the negotiations through the mediator, and helped disseminate the outcomes of the dialogue. The involvement of civil society—coupled with the Panel of Eminent African Personalities’ commitment to providing regular press briefings—generated public confidence. Drawing on decades of civic engagement and advocacy, civil society helped ensure that the constitutional process engendered by the dialogue represented strides toward addressing long-standing grievances in Kenya.

Annan’s stature as former UN secretary-general and a seasoned statesman was also crucial to the success of the process. Before landing in Kenya, he was able to raise the profile of the dialogue with international partners, who joined in pressuring Kibaki and Odinga. When the negotiations hit obstacles, Annan’s eminence and experience helped the parties find a way through. During the implementation phase, Annan remained engaged. Drawing on public opinion research and monitoring reports, he exercised his role of mediator to keep progress on track. Kenya’s new constitution and the relatively calm elections in 2013 are a testament to sustained Kenyan leadership and Annan’s consistent presence. Although civic activists and citizens point to parts of the agreement—notably items related to land and transitional justice—that have yet to be implemented, the KNDR did set down markers for even these most complex and deep-rooted drivers of conflict in the country.

Lebanon's National Dialogues

Elie Abouaoun explores the role of national dialogue in Lebanon in 2006 and 2008 through 2012, during a period of intermittent armed conflict and crises of governance. Like the Kenyan process, the Lebanese national dialogues do not match the big tent format more commonly convened and explored in the literature over the past several years. By contrast, the Lebanese experience brought together elite groups of political leaders—fourteen in the first dialogue and nineteen in the second—along with their advisers and select external experts.

In Lebanon, it was national figures who convened the dialogues. In 2006, deft politician and Speaker of Parliament Nabih Berri served as convener. Berri's long history in politics and personal connections enabled him to bring rival leaders to the table in a time of deep polarization following former Prime Minister Rafik Hariri's assassination. The dialogue reached agreement on some issues, but the resolutions were not implemented after the parties failed to reach resolution on Hezbollah's disarmament. The dialogue subsequently broke down during another outbreak of conflict in July 2006.

Michel Sleiman convened the 2008–2012 national dialogue in line with the Doha Agreement. That document had designated him as president in a critical step to resolving the political crisis that had left the presidency unoccupied. Sleiman did not command respect from all of the participating parties, and the dialogue failed to reach agreement on its main item, the Lebanese defense strategy. (This was understood by Hezbollah's political rivals to refer specifically to the issue of Hezbollah's weapons; by contrast, the pro-Hezbollah coalition envisioned a more expansive discussion on the security sector.) A more enduring legacy of this dialogue was the independent and discrete Common Space Initiative that emerged during the dialogue and that has remained active as a space for consensus-building across political divides in Lebanon.

Both the 2006 and the 2008–2012 dialogues, though convened domestically, were heavily influenced by

the region, particularly Syria's pervasive involvement in Lebanese politics over fifteen years and later the Syrian civil war. Neither dialogue carried much weight with the public, despite the conveners' efforts with regular press releases. Further, neither resulted in agreements that were implemented. Abouaoun acknowledges that the dialogues did have value in maintaining engagement between rival factions during times of great polarization, possibly stemming further violence. Although national dialogues often have loftier goals—such as facilitating a peaceful political transition or transforming long-standing conflict dynamics—the Lebanese experience makes the case for some merit in providing a forum that serves a preventive function by defusing political tensions.

Senegal's Assises Nationales

Senegal's 2008–2009 national dialogue, which Emily Fornof and Penda Ba examine, is an intriguing case not widely explored in English-language literature. The process began after a large opposition political coalition, Front Siggil Senegal, boycotted the 2007 legislative elections in protest over changes to the electoral calendar and perceived irregularities in the preceding presidential elections. The initiative distinguishes itself with its highly participatory, nationally owned approach and the meticulousness with which the organizers solicited and incorporated citizen feedback.

The opposition called for dialogue to address the country's pressing problems and handed over the organization of the dialogue to a coalition of civil society organizations. Although this afforded the dialogue greater neutrality, it was still perceived as a political affront by President Wade, who refused to join and actively deployed intimidation to reduce participation. The extremely open approach to inclusion and participation, along with Wade's eventual acquiescence, allowed the initiative to flourish.

At the national level, the organizers welcomed any and all interested delegates to the Assises Nationales sessions in Dakar. The structure at that level—which

included several thematic committees and a scientific committee that resolved areas of substantive non-agreement—was then replicated in each of the country's then thirty-five departments (regional governance units) and in three diaspora communities. The departmental committees organized extensive citizen consultations, closely documented these, and passed them to the scientific committee for review and incorporation into the development of the final documents. This participatory approach—coupled with the fact that the organizers followed up at the local level to share the final documents—led to a high level of public support for the process.

Beyond its broad approach to participation, the Assises Nationales are noteworthy in that they managed to garner significant momentum—both during and after the process—even in the face of outright antagonism by the sitting government. The Assises' ability to move forward with an air of neutrality at a polarized time was aided by the selection of Amadou Mahtar Mbow as the chair of the process. A treasured national figure, Mbow had served as a professor, a civil servant, and director general of UNESCO.

The Charter for Democratic Governance that resulted from the process served as a rallying call for the political opposition. Many opposition politicians adopted its principles as part of their platforms, including Macky Sall, who was elected to the presidency in 2012. In March 2016, nearly seven years after the conclusion of the process, Senegalese passed by referendum some of the recommendations that had been put forward through the Assises. To some Senegalese, this limited and delayed implementation has been a disappointment, though the referendum does demonstrate that the process came to serve as a touchstone in Senegalese politics.

Tunisia's Dialogue National

In his case study on the widely heralded Tunisian process, Daniel Brumberg begins by tracing the emergence of the political crisis in Tunisia and the elaborate series of negotiations that preceded the dialogue itself.

He describes the key role of the Tunisian General Labor Union (UGTT)—within the Quartet of civil society organizations that convened the dialogue—as “both mediator and protagonist.” The depiction of the uniquely credible and persuasive Quartet prompts practitioners to reflect creatively on entities that could play a convening role in similar contexts. Brumberg also points out how a limited agenda for the dialogue allowed the process to decisively conclude its objectives and ensured that the decisions would be implemented.

The National Constituent Assembly (NCA) elected in October 2011 after the Jasmine Revolution brought the Islamist Ennahda party, long excluded under former President Ben Ali, to power. Ennahda was able to form a majority coalition with two other parties, wielding great influence within the constitutional debates and the government itself. Tensions rose over the role of Islam in the constitution. Fears heightened following the assassination of influential leftist politician Chokri Belaid in February 2013. Both President Moncef Marzouki and the UGTT convened dialogues during that time, the first resulting in some modest progress and the second concluding without any important achievements. These processes did further an existing norm of political dialogue within Tunisia, helping lay the groundwork for the dialogue that the Quartet would ultimately convene. In the prelude to the national dialogue, NCA President Ben Jaafar also created the Constitutional Consensus Commission, a quiet mechanism that allowed progress on the thornier constitutional issues and continued in parallel with the national dialogue. That Tunisia's famed national dialogue was enabled by preceding and simultaneous processes is a useful reflection for practitioners and a humble reminder that complex problems require complex and mutually reinforcing initiatives.

After another political assassination and the resignation of a significant proportion of the NCA, tensions rose even further. The UGTT, drawing on the support and legitimacy of its six-hundred-thousand-strong membership, offered its services as mediator. It was soon

None of those represented in [Yemen’s] dialogue had the ability to enforce the NDC’s federalist compromise among the wider south. The inability to broker a compromise on this so-called southern question underlines the point that inclusion entails more than just seats at the table.

joined by the Bar Association; the Tunisian League of Human Rights; and the Tunisian Union of Industry, Trade, and Artisans (UTICA). The secretary general of UGTT, Houcine Abassi, and the director of UTICA, Wided Bouchamouai, were instrumental in pushing the two main protagonists, Rachid Ghannouchi of Ennahda and Beji Caid Essebsi of the Nidaa Tounes party, to the table. Of particular note is the unusual step that Abassi took in ordering protests around the country in a bold gesture to urge Ennahda to the table. This experience underlines some early connections between nonviolent action and national dialogues, an area that merits further exploration. Ultimately, the pressure was successful in persuading the reluctant Ennahda to sign the roadmap for the process in October 2013.

The Quartet’s role as convener and facilitator of the dialogue was well accepted by the parties. This acceptance was made possible because each of the four civil society organizations had a long history in Tunisia and because of the pressure brought to bear by UGTT’s large membership base. Those attributes outweighed concerns of neutrality rooted in the political positions some of the organizations took before and during the transition.

Many national dialogues have ambitious agendas in that organizers and participants aim to convene a conversation that addresses the root causes of conflict and opens the possibility of broadly transformative outcomes. This was not the case in Tunisia. The roadmap—drafted by the Quartet and signed by twenty-one of the twenty-four parties represented in the NCA—set out a modest agenda. This included four items: the formation of a new electoral commission, the passage of an electoral law, the finalization of a new constitution, and the selection of a new cabinet. The original and very ambitious four-week timeline was not met, but the dialogue did succeed in achieving its objectives,

each implemented in the near term. This is a distinct contrast to larger national dialogues, such as those in CAR, Senegal, and Yemen, which produced hundreds of recommendations with paths to implementation that would be long, unclear, and far from guaranteed.

Yemen’s National Dialogue Conference

In the final case study, Erica Gaston explores Yemen’s National Dialogue Conference, a process mandated by the Gulf Cooperation Council Initiative (GCCII) agreement that brokered President Saleh’s departure following Arab Spring protests in 2011. The NDC resulted in some 1,800 recommendations, but the divided and embattled government had little capacity to implement any of them. Within six months of the dialogue’s closure, the country descended into civil war, followed by regional military intervention and a prolonged conflict stalemate. Gaston argues that while the conflict that has engulfed the country since 2014 was not caused per se by the NDC, the NDC certainly failed to forestall this descent into violence by not living up to its larger mandate of brokering an acceptable political settlement and a way forward between competing Yemeni parties and blocs.

The NDC mandate was sweeping: to take forward the political mediation and transition that began with the GCCII agreement; to craft a new state architecture and lay the groundwork for a new constitution; and to resolve the host of other issues and grievances that had motivated the Arab Spring protests, from lack of jobs to past political violence and persecution. Gaston also describes an “unspoken mandate” for the NDC to broaden the transitional process beyond the traditional elites. NDC membership was structured to include a substantial portion of civil society, youth, and women among NDC delegates, a break from the traditional parties and elites that had dominated the Yemeni political space both during the GCCII negotiations and before.

However, this broad mandate and greater inclusivity turned out to be something of a double-edged sword. The 565-member body proved too unwieldy to reach consensus on even basic questions about the scope of discussion, and was unable to reach sustainable breakthroughs on the main conflict standoffs that preceded the NDC and later consumed the country. The NDC was only able to reach a conclusion by papering over differences between key blocs and parties on fundamental issues, including the question of southern independence and of the nature and structure of the federalist compact proposed in lieu of southern autonomy.

Some of this was due to a failure to obtain buy-in from key southern constituencies in advance of the NDC. Under substantial international pressure to keep to timetables, the dialogue was rushed forward without any progress on a series of confidence-building measures. As a result, despite a fifty-fifty north-south quota for NDC delegates, most of the southern groups pushing for secession opted out, and none of those represented in the dialogue had the ability to enforce the NDC's federalist compromise among the wider south. The inability to broker a compromise on this so-called southern question underlines the point that inclusion entails more than just seats at the table.

The NDC was also increasingly divorced from the surrounding reality, including conflict developments in Yemen. During the eight months of NDC deliberations and dialogue, governance, security and economic conditions worsened. At the NDC's close, the Yemeni government was less well positioned to implement the ambitious final goals and recommendations than it was when the dialogue started. In addition, while delegates from the northern Zaydi Shiite group known as the Houthis nominally participated in the dialogue, in the final months of negotiations, Houthi fighters were already advancing south, seizing control of more northern territory. The Houthis, alongside the southern separatists, rejected the federalism compromise devised in the final days of the NDC. Although President Abdrabuh Mansour Hadi's government continued to try to press forward on implementation, continued Houthi military advances over the summer of 2014 made this impossible. In September 2014, the Houthis, allied with former President Saleh, seized the capital Sana'a and proposed their own transition process in lieu of the GCCI and NDC.

In the end, the NDC was largely overtaken by broader conflict dynamics and events, but this happened in part because the elaborate processes and structure of the NDC proved a poor substitute for getting the necessary actors and issues to the bargaining table.



Transitional President Catherine Samba-Panza takes the oath of office in Bangui, Central African Republic, on January 23, 2014. (Photo by Jerome Delay)

Central African Republic's Bangui Forum

By Rachel Sullivan

The national dialogue in the Central African Republic (CAR) known as the Bangui Forum was an inclusive effort to end decades of deadly conflict. Initially pushed for by the Economic Community of Central African States in 2014 in response to the Séléka rebellion of 2013, the process included three phases of dialogue aimed to stop the violence and recommend a path toward peace. Similar to many previous peace negotiations in CAR, the first phase of this process was the Brazzaville Forum, peace talks organized to negotiate a ceasefire agreement between the major parties involved in the violence.

The second phase was more unusual: a series of grass-roots popular consultations that documented citizen concerns to be incorporated into the third phase. The third and final phase was the Bangui Forum on National Reconciliation, a week-long conference in the country's capital with an estimated eight hundred participants intended to produce recommendations and next steps to carry the country through its transition to reconciliation and reconstruction. After exploring the context, objectives, structure, and outcomes of the Bangui Forum, the study reflects on its impact five years later.

Figure 1. Central African Republic Timeline



Note: Not all events on the timeline are discussed in the text.

HISTORICAL CONTEXT

Since gaining independence from France in 1960, the Central African Republic has experienced chronic instability and outbreaks of violent conflict. A weak government presence outside the capital contributes to instability and a thriving conflict economy, where armed groups control vast territories, prey on the population, and exploit CAR's abundant natural resources with virtual impunity. Although the Bangui Forum was a direct response to the Séléka rebellion that toppled President François Bozizé in 2013, it has roots in much earlier contests for power. Indeed, the structure and function of the forum reflect lessons and grievances from previous unsuccessful attempts at national dialogue.

An Ex-Military Coup d'État

In 2000, General Bozizé began stirring rebel violence to destabilize the government of President Ange-Félix Patassé. In October 2001, after Bozizé refused to cooperate with investigations into the violence, Patassé dismissed him from service. In an attempt to mitigate the increased tensions, Patassé announced his intention to hold a national dialogue the following year but was never able to carry through.¹ Having regrouped in Chad, Bozizé and his supporters began to launch attacks on CAR and finally seized control of Bangui on March 15, 2003, supported by the governments of Chad, the Democratic Republic of the Congo, and the Republic of the Congo.²

Once in power, Bozizé requested additional assistance from Chadian President Idriss Déby to restore calm in the capital. When the situation had stabilized, Bozizé developed a plan for a political transition to full constitutional legality for his government, to include a national dialogue, constitutional referendum, and general elections by the end of 2004. The regional organization Central African Economic and Monetary Community accepted his proposal, and in June 2003 officially recognized Bozizé's regime.³

Bozizé's transitional government held a national dialogue that brought together 350 delegates in Bangui

from September 15 to October 27, 2003. The delegates formed five thematic committees, with most of their final recommendations focusing on the upcoming elections, which were subsequently held in 2005.⁴ Bozizé won with 64.3 percent of the vote in the second round, formally securing his position as the head of the country. Despite these attempts to legitimize his authority, rebel groups remained unsatisfied with his regime. The fighting continued. The government pursued both a military response and peace negotiations, signing a peace agreement with the Union of Democratic Forces for Unity (UFDR) in April 2007, and a comprehensive peace agreement with the UFDR and the People's Army for the Restoration of Democracy in June 2008. Known as the Libreville Comprehensive Peace Agreement, the 2008 accord committed the parties to a ceasefire; a disarmament, demobilization, and reintegration (DDR) program; general amnesty for the fighters and incorporation into the armed forces; release of prisoners; and an inclusive political dialogue.

In December 2008, Bozizé's government organized the Inclusive Political Dialogue in Bangui, inviting nearly two hundred participants from six groups: the presidential majority in the National Assembly, rebel groups, opposition political parties, other political parties, civil service, and civil society.⁵ They were organized into three thematic commissions: politics and governance, security and armed groups, and socioeconomic development. The path set forth by the dialogue included establishing an interim government, holding legislative elections in 2009 and presidential elections in 2010, appointing a monitoring committee, and creating a truth and reconciliation commission.⁶

The promised elections were significantly delayed due to logistical challenges—including half of the Independent Electoral Commission resigning—but finally took place in January and March 2011.⁷ Garnering 66 percent of the vote, President Bozizé defeated his predecessor, Ange-Félix Patassé. His political party, the National Convergence Kwa Na Kwa, won a majority in the National Assembly.⁸ Members of

the opposition and other candidates challenged the outcome of the presidential election in court, citing several irregularities, but the Constitutional Council decided in favor of Bozizé.⁹

The Séléka Rebellion

In September 2012, the situation in CAR began to tilt once more toward open conflict when President Déby removed the troops he had sent to protect Bozizé's regime, creating an opening for the rebel groups. By December 2012, the UFDR had rebranded itself and formed a coalition with other rebels, a mostly Muslim group known as the Séléka (Alliance). The Séléka coalesced mainly in response to a shared set of unresolved grievances from the implementation of the previous peace agreement, particularly the DDR program, but was also joined by opportunistic fighters from Chad and Darfur. Together, they began their descent on Bangui from CAR's north-east, stopped just before they reached the capital by the regional peacekeeping mission MICOPAX.¹⁰

In January 2013, the Séléka agreed to participate in peace talks with the Bozizé government. The talks took place in Libreville, Gabon, and produced a power-sharing agreement to dissolve the existing National Assembly in favor of a government of national unity. In February 2013, Bozizé took the first step toward fulfilling these terms by appointing opposition leader Nicolas Tiangaye as prime minister and Séléka leader Michel Djotodia as vice prime minister in charge of defense, but this arrangement was short lived.

Despite taking steps to establish a unity government, Bozizé began distributing weapons for a "popular defense" of Bangui.¹¹ Shortly afterward, the Séléka began marching on the city, proclaiming that Bozizé had failed to implement the terms of the peace agreement. On March 24, they captured Bangui, forced Bozizé to flee, and installed Michel Djotodia in his place. Djotodia immediately suspended the constitution and dissolved the National Assembly. The Economic Community of Central African States (ECCAS) intervened and was

able to persuade Djotodia's regime to agree to a transitional government of national unity that would last no more than eighteen months. The transitional leadership would be responsible for holding a constitutional referendum and general elections to reestablish constitutional governance. On April 6, Djotodia established a National Transitional Council tasked with electing the interim president for the transitional period; the council met for the first time on April 13 and officially elected Djotodia as head of state of the transition.

Over the next few months, Djotodia's regime worked to formalize the elements of that transition. In August, he was officially sworn in as president of the transition. In September, he called for the dissolution of the Séléka. He struggled, however, to restore order in the country. Ignoring his order to disband, Séléka rebels continued to commit atrocities against civilians, and in response a group of predominantly Christian militias, the Anti-Balaka (Anti-Machete), formed to oppose them.

As violence escalated, the conflict reached a turning point on December 5, 2013, when the Anti-Balaka launched an attack to drive the Séléka out of Bangui. However, they also targeted unaffiliated Muslim citizens to drive them out as well. The resulting violence killed approximately one hundred people. In response, France immediately launched Operation Sangaris, deploying six hundred French troops to support the existing African Union (AU) mission.¹² Together, these forces were meant to bolster security and restore stability in Bangui by disarming the Séléka. However, in focusing on disarming the Séléka, the operation inadvertently created a security vacuum and therefore an opportunity for the Anti-Balaka.

Early in January 2014, amid this unstable situation, ECCAS convened an extraordinary summit in Chad under the chairmanship of Idriss Déby. There, the international community pressured Djotodia to formally resign on the basis of his failure to control the Séléka and stop the sectarian violence. On January 10, Djotodia complied and went into exile in Benin. Following his

The ECCAS summit in January 2014 that facilitated the removal of Djotodia from power also produced a communiqué that called on ECCAS, the AU, and Central African parties to encourage possible mechanisms for holding a national reconciliation conference.

exit, the National Transitional Council voted to select a new transitional president from a list of eight candidates who had no links to either the Séléka or the Anti-Balaka. On January 23, they chose Bangui Mayor Catherine Samba-Panza. In accordance with the plan laid out for the transition, her appointment would be temporary, and her role would be to lead the Central African Republic until a constitutional referendum and general elections could be held in 2015. ECCAS also encouraged the possibility of a national reconciliation conference as part of the transition.

Ethnic Cleansing

By the end of the month, the country had both a new transitional head of state who was not associated with either side in the conflict and a clear roadmap out of the conflict. Unfortunately, these measures were not enough to prevent further atrocities. By disarming the Séléka and removing Michel Djotodia, international intervention had reversed the balance of power in favor of the Anti-Balaka.¹³ The armed group seized the opportunity and in February 2014 began systematically murdering the minority Muslim population of western CAR. Referring to the Muslims as “foreigners,” the Anti-Balaka sought to remove them from the country, either by forcing them to flee or killing them outright.¹⁴ Tens of thousands of Muslims fled. Their homes and livelihoods were destroyed.

Fearing an escalation to genocide, international actors were once again quick to intervene. The UN Security Council approved a peacekeeping force on April 11, 2014. The force, called the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), was deployed on September 15, 2014. In addition to providing a stabilizing force, MINUSCA would also support the CAR government in completing its transition, including a national dialogue and reconciliation process.

ESTABLISHMENT AND MANDATE

The ECCAS summit in January 2014 that facilitated the removal of Djotodia from power also produced a communiqué that called on ECCAS, the AU, and Central African parties to encourage possible mechanisms for holding a national reconciliation conference. This idea was discussed further at the fifth meeting of the International Contact Group on the Central African Republic (ICG-CAR).¹⁵ The ICG-CAR called for a political dialogue to be convened by ECCAS lead mediator Denis Sassou Nguesso, president of the Republic of the Congo, in Brazzaville from July 21 through 23, and suggested that the Brazzaville Forum “be followed by other steps to be carried out in the CAR, to ensure the widest possible participation of the different segments of the CAR population and its ownership of the process, namely consultations to be organized in the various prefectures of the country and a larger Forum to be held in Bangui.”¹⁶

The result of this forum was a cessation of hostilities agreement signed on July 23 by representatives of seven armed groups and witnessed by transitional government representatives, civil society leaders, and religious leaders, among others.¹⁷ Experts criticized the agreement for failing to include all of the armed groups and to get those that did sign to commit to supporting the transitional government until new elections could be held. Few were therefore surprised when the agreement was violated within two weeks of signing. Concerns also lingered about some of the issues that had been brought to the negotiating table, including the Séléka’s push to partition the country.¹⁸ The final communiqué, prepared by the ECCAS rapporteur, acknowledged that the forum was only a first step, stipulating that it should be followed by a “second phase” to include popular consultations in all sixteen prefectures and a “third phase” of a forum in Bangui on national reconciliation and reconstruction.



Michel Djotodia, center, arrives for a meeting with members of the government armed forces in Bangui, Central African Republic, on March 28, 2013, after his forces seized the capital days before. (AP Photo)

The CAR national dialogue process was thus conceived of as a three-phase program: the Brazzaville Forum, the popular consultations, and the Bangui Forum. However, given that the Brazzaville Forum took place outside the country and several months before the other phases, the common perception in CAR is that the popular consultations and the Bangui Forum were the primary components. Nonetheless, the Brazzaville Forum was a crucial moment in that it produced the agreement necessary to proceed with the second and third phases. The momentum around the inclusive national dialogue to be held in CAR was also bolstered by the official MINUSCA mandate authorizing the mission to “assist the Transitional Authorities in mediation and reconciliation processes at both the national and local levels . . . including through inclusive national dialogue, transitional justice and conflict resolution mechanism, while ensuring the full and active participation of women.”

PREPARATORY PHASE

To begin the foundation for the Bangui Forum, MINUSCA convened a two-day preparatory workshop in November 2014, which included participation by national and international experts, civil society representatives, nongovernmental organizations, and the UN Mediation Support Unit (MSU). A UN special representative facilitated the discussion, reflecting MINUSCA’s active engagement in the process. The fifty participants discussed lessons learned from previous national dialogue processes in CAR, the major challenges and debates facing the country, and best practices gleaned from other recent national dialogues. The group also discussed and made recommendations on several of the more technical aspects of the process, including the form for popular consultations, the selection of participants, and the structure of the dialogue.¹⁹ The workshop report was intended to guide the work of the Preparatory Committee to be named shortly afterward.

In January 2015, Samba-Panza formally enabled the dialogue process to proceed by naming the Preparatory Committee to lead the popular consultations and prepare for the Bangui Forum. It was chaired by Béatrice Epaye and comprised twelve individuals, including members of civil society and political parties; women; youth; political figures; a representative from La Plateforme des Confessions Religieuses; and four armed group representatives from the ex-Séléka faction Front Populaire pour la Renaissance de la Centrafrique, the Anti-Balaka, the Union des Forces Républiques Fondamentales, and the Séléka Rénovée. With support from the UN Development Programme (UNDP), the commission began to prepare for nationwide popular consultations. This was the first time in the country's history that the government had broadly solicited citizen input at the grassroots level. The consultations would serve both as an opportunity for broad public participation in the process to make it more inclusive, and as a preparatory stage to help the organizers shape the agenda for the forum.

Following the public consultations in February and March, the Preparatory Committee discussed the conclusions from the consultations report. Supported by MINUSCA, the International Organization of La Francophonie, ECCAS, and the Centre for Humanitarian Dialogue, it produced four thematic reports and related recommendations for the forum. The areas of interest were social and economic development, governance, justice and reconciliation, and peace and security. The forum deliberations, the Preparatory Committee recommended, should be structured based on these themes.

In April, the process of organizing the forum met with considerable difficulty due to controversy over organizing bodies and appointments to these bodies. Samba-Panza issued decrees establishing the Technical Organizing Committee and the Presidium for the Bangui Forum, thus disbanding the Preparatory Committee.²⁰ She then issued decrees appointing the members of both bodies without consulting the National Transitional Council. These actions created a political backlash that

forced her to delay the forum until the council could be consulted in the selection process. This ad hoc consultative process resulted in the forum's three organizing mechanisms: the Presidium, the Technical Organizing Committee, and the Technical Secretariat.

Once the Technical Organizing Committee was satisfactorily established, it formalized the Preparatory Committee's recommendations on structure and agenda, and the Technical Secretariat made logistical arrangements for the forum. The committee also set quotas for participation—largely based on the earlier work of the Preparatory Committee—and created guidelines for the forum, including official terms of reference, code of conduct, and agenda documents, mainly inspired by the earlier work of the Preparatory Committee.

In the meantime, discussions held before the forum between the transitional government, the international community, and representatives from ten of the armed groups facilitated an agreement on the rules of engagement for their participation in the forum.²¹ The agreement, signed on April 23, 2015, paved the way for the disarmament, demobilization, repatriation, and reintegration (DDRR) accord to be signed during the forum.²²

AGENDA

The terms of reference described the Bangui Forum as taking place in the context of violent conflict and proclaimed that its broader vision was to lay the foundations of inclusive political governance by defining a new social contract between all groups of Central Africans. The tangible end result was to include a signed peace and reconciliation accord; a DDRR agreement; a new vision of the nation state; a new vision for the Central African Armed Forces; a truth, justice, and reconciliation commission; revisions to the constitution; creation of favorable conditions for the upcoming elections; and establishment of a monitoring committee to ensure the implementation of these outcomes. All of these would be validated in a plenary session and then consolidated into a forum general report.

Per the agenda, two of the forum's eight days were largely ceremonial, only one was allotted for public participation, and only two were allotted for the actual work of the thematic committees. This timetable did not provide enough opportunity to fully address the issues raised in the popular consultations.

- May 4: Opening ceremony, registration for thematic sessions
- May 5: Testimony session (including children, youth, women, religious platform representatives, and external guests), brainstorming session on the expectations of the forum
- May 6 and 7: Simultaneous thematic sessions (social and economic development, governance, justice and reconciliation, and peace and security—identified through popular consultations)
- May 8 and 9: Plenary sessions, presentations of the reports of the thematic commissions
- May 10: Formal adoption of the recommendations from each thematic commission
- May 11: Closing ceremony

The closing ceremony included a presentation of the Republican Pact for Peace, which consolidated the conclusions from the forum and, following them, prescribed a general path forward for the peace process. Its purpose as part of that ceremony was to bind the transitional government, the National Transitional Council, the soon-to-be elected government and Parliament, and all the active forces of the nation, to adhere to its recommendations and to ensure their implementation.²³

DELEGATES

The Preparatory Committee and Technical Organizing Committee set the quotas for participation. Delegates were selected by an iterative process of negotiations between these committees and stakeholder groups, in particular the armed groups, about how many delegates they would be permitted to send. Originally, the organizers envisaged approximately 550 delegates; ultimately, some 675 were invited, but an indeterminate number of additional, un-nominated delegates also showed up. Because

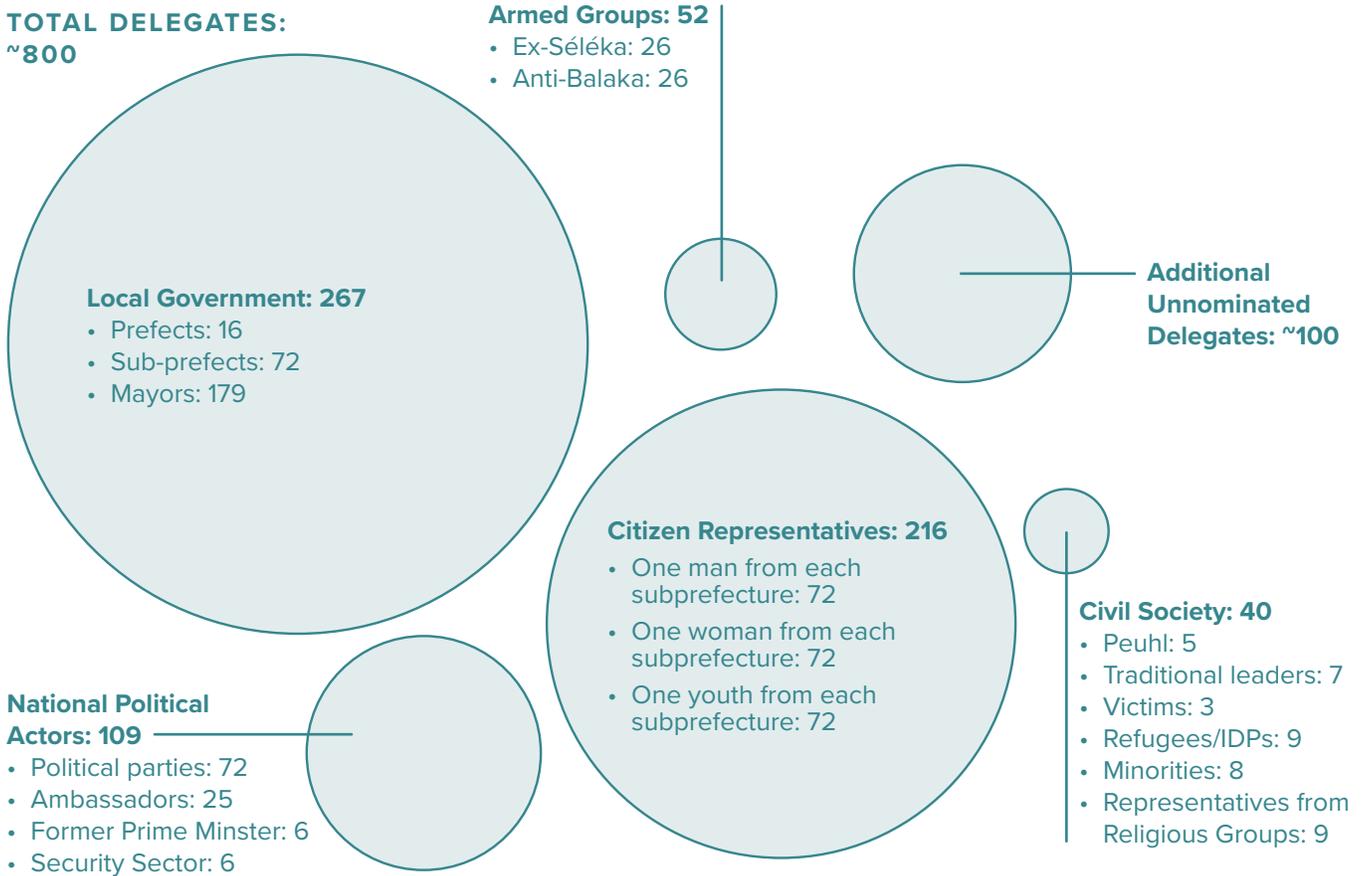
the forum took place during a period of high political tensions, its organizers felt that turning away unauthorized delegates would risk inciting violence. They therefore decided to allow these individuals to stay and participate. The total number was estimated at approximately eight hundred, about 100 more than officially nominated.²⁴

Ultimately, the stakeholders represented included armed groups, political actors, civil society organizations, religious leaders, the sixteen prefectures and the subprefectures, ethnic groups, the diaspora community, and refugees and internally displaced persons (IDPs).²⁵ Approximately 120 of these participants (15 percent) were women.

The main armed factions that had participated in the conflict, the Anti-Balaka and the Séléka, were permitted to send twenty-six delegates each. According to the rules of engagement agreed to on April 23, all delegates from militant groups were required to sign a participation agreement binding them to a code of conduct during the forum. Major political actors were also given a substantial number of delegates. Political parties were allowed to send a total of seventy-one, and each civil society organization could send one. CAR's approximately twenty-five foreign ambassadors returned to Bangui to attend the forum, as well as six former prime ministers. (Former Presidents Bozizé and Djotodia were not allowed to attend.) The security services were permitted to send four generals from the Central African Armed Forces, a gendarme, and a police officer.

From the local level, the prefects from each of the country's sixteen prefectures attended, as did the subprefects from the seventy-two subprefectures. Each of the seventy-two had three delegates: one man, one woman, and one youth. The selection of these three was decided at the local level during or after the local popular consultations. In addition to these representatives, mayors from the country's 179 communes attended the forum, as did seven traditional leaders.²⁶ The Peuhl were allowed to send five chiefs from the

Figure 2. Central African Republic Delegates



communes d'élevage (territories officially designated for herding communities).

Other significant actors from the religious community had representation, but their numbers were comparatively few. The Interreligious Platform sent a total of four representatives—two imams and two bishops—and an additional five delegates were invited from the three major religious groups—Catholic, Protestant, and Muslim.

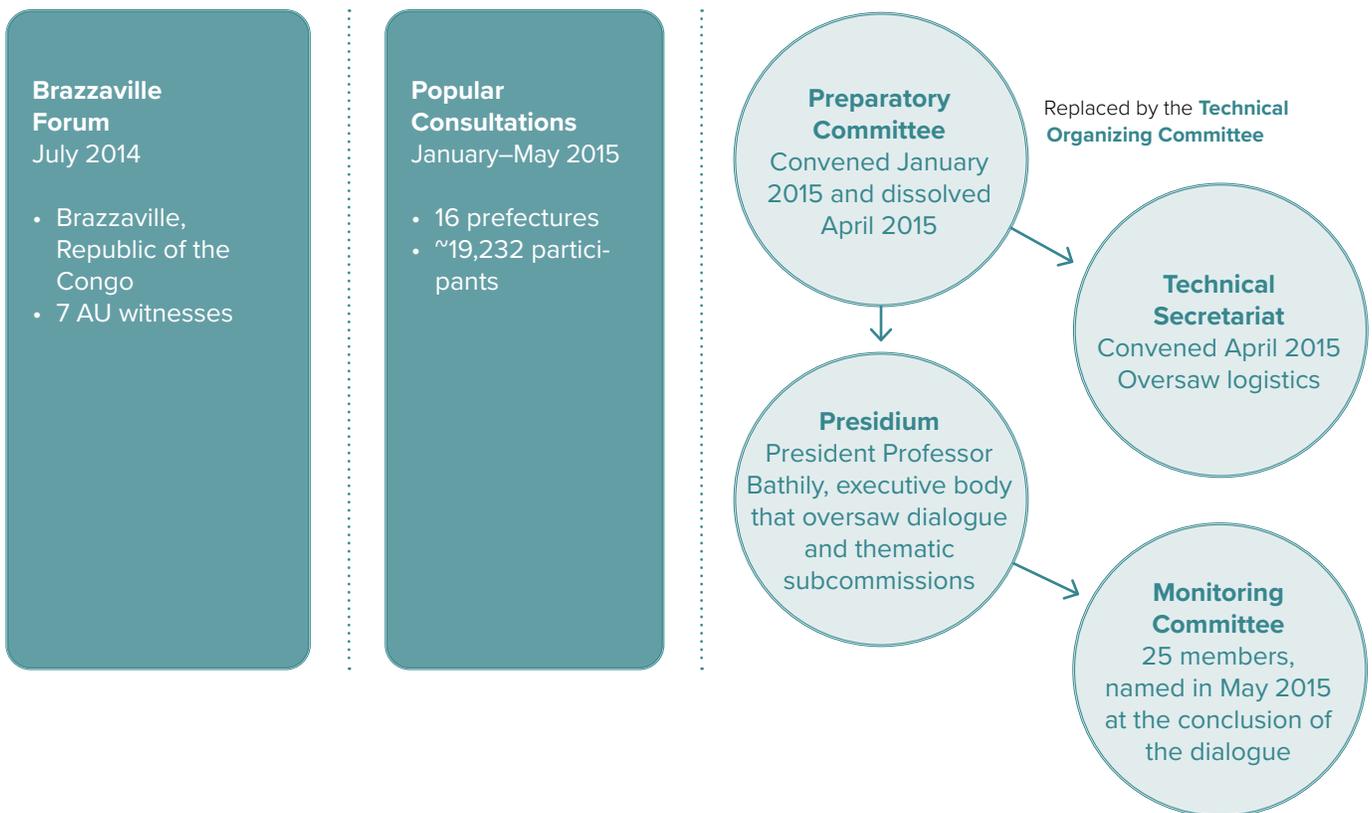
Traditional minority groups and those directly affected by the conflict were also invited to send delegates, though again these groups had relatively low numbers relative to the others. These included two Pygmy, two albino, and four persons with disabilities, as well as five refugees, four IDPs, and three direct victims of the conflict (one man, one woman, and one youth representative).

STRUCTURE

The Bangui Forum was organized around several supporting bodies as well as several thematic committees that allowed participants to debate issues and make recommendations.

The first of these was the Preparatory Committee, which was named in January 2015. With international support, the Preparatory Committee organized the public consultation phase of the process as well as the reporting of the results. After consultations with stakeholder groups, the committee also made recommendations on the participants for the forum, including quotas for specific stakeholder groups. Based on its analysis of the popular consultations, the Preparatory Committee recommended the four themes that would be the foci of the four thematic committees in which forum participants would deliberate. When the Preparatory Committee was disbanded,

Figure 3. Central African Republic Structure



it was replaced by the Technical Organizing Committee (CTO), which picked up the committee’s work. The CTO produced a final version of the report of the public consultations and made final determinations on participants.

The Presidium and the Technical Secretariat were named at the same time as the CTO. The Presidium was the senior coordinating body. Its chair was Professor Abdoulaye Bathily, the UN secretary-general’s special representative for Central Africa, who was chosen on the basis of his previous role in mediating the conflict. The Presidium approved the final CTO proposals and met before and after each of the daily sessions to manage the agenda and coordinate facilitation duties, which generally fell to Bathily. At the operational level, the Technical Secretariat was responsible for numerous logistical matters, including securing space for the plenary and thematic committee sessions.

These entities brought the dialogue to fruition by making decisions on the key facets of the dialogue, including agenda, participants, and structure. During the dialogue itself, a committee structure allowed for deliberations and interaction among participants.

As noted, the Preparatory Committee and CTO recommended that the May 2015 forum focus on the four themes identified in the consultation phase: social and economic development, governance, justice and reconciliation, and peace and security. During the forum, two days were dedicated to simultaneous deliberations on these themes. Participants were allowed to join whichever thematic commission they preferred. Each commission elected a president, vice president, and rapporteur. Within each commission, participants were invited to give two- to three-minute presentations on their views on the theme in

question. At the end of the two days, the commissions prepared thematic reports that they then shared in the plenary sessions that followed.

The final supporting body for the forum was created at its conclusion, when Samba-Panza named twenty-five members to the Bangui Forum Monitoring Committee (Comité Consultatif de Suivi). The remaining funds from the forum were allocated to the committee, which was tasked with tracking the implementation of the recommendations in the Republican Pact for Peace.

CONVENING AND FACILITATION

During the plenary sessions, the Presidium managed the facilitation, with the large share of that responsibility falling to Bathily, its president. The elected presidents and vice presidents of the thematic commissions led the facilitation of these sessions.

Given the large number of participants and the short duration of the dialogue, little room was left for meaningful debate. As mentioned, participants were offered the opportunity to express their views, if briefly. This opportunity to do so publicly was reportedly a cathartic experience, particularly among participants not of the Bangui elite.

The starting point for debate within each of the commissions was the corresponding report prepared by the Preparatory Committee and the CTO based on analysis of comments offered during the public consultations. After hearing participants' contributions, the commission leadership made edits and amendments to the preliminary thematic report and presented these revised thematic recommendations in the final plenary sessions.

PUBLIC PARTICIPATION OPPORTUNITIES

The main opportunity for the broader public to participate in the Bangui Forum preceded the forum itself. The Preparatory Committee, in accordance with the

Brazzaville Declaration that defined the Bangui Forum, organized and carried out popular consultations from February through March 2015, before the national forum in May 2015.

The popular consultations took place in two stages. The first stage consisted of training facilitators to collect data and information during the consultations. The UN Development Programme took the lead in developing a facilitation guide and training the facilitators. Following the training, facilitators were put into thirty diverse teams of ten individuals each, with the teams under the supervision of the resident ministers of the sixteen prefectures.

In the second stage, the facilitator teams led the grassroots consultation workshops in the prefectures, the arrondissements of Bangui, and IDP and refugee camps. In total, the consultations captured the voices of 19,232 participants, of whom 23 percent were women, and 25 percent were youth between fifteen and thirty years old.²⁷ The result of this work was a thirty-eight-page report that summarized common concerns and recommendations from the participants and then grouped them according to theme. The report thereby assisted in the preparation of the Bangui Forum by establishing priorities and organizing ideas. Controversy around the contents of the first draft of the report by the Preparatory Committee—fueled by existing poor relations between the committee and the transitional president—was said to set off Samba-Panza's decision to dissolve the Preparatory Committee and name the CTO in its place.

During the Bangui Forum, citizens had fewer opportunities to directly participate. Delegates were able to testify for three minutes each during the plenary sessions. The discussions that took place during the Bangui Forum were broadcast live through Radio Guira. The station was able to provide coverage to citizens in Bangui, Bambari, Bossangoa, Bria, and Kaga Bandoro.

POLITICAL AND CONFLICT DEVELOPMENTS DURING THE DIALOGUE

Critics of the Brazzaville Forum claimed that it was not fully inclusive of the warring parties, and therefore Kenyan President Uhuru Kenyatta held a parallel process in Nairobi, supported by the conflict mediator, Republic of the Congo President Sassou Nguesso. Kenyatta convened talks from January to April 2015, in which he included armed groups and Bozizé and Djotodia, the two previous presidents of CAR, then in exile. Ultimately, the dialogue produced a peace deal between the Séléka and the Anti-Balaka, which was then endorsed by former Presidents François Bozizé and Michel Djotodia. The agreements were meant to lay the foundations for a lasting peace in CAR, but were rejected by both the transitional government and the international community.²⁸

Neglecting to include all of the armed groups in the DDRR agreement has also meant that progress on implementing the DDRR program has stalled. Factions of the former Séléka in particular were opposed to participating, and a coalition of three factions led by Nourredine Adam actively called for secession of the areas under their control. Secessionist threats have been made since December 2013.²⁹ These, however, grew far more serious in November 2016, when the coalition of ex-Séléka factions began advancing on the town of Bambari, CAR's second-largest city, which would have strengthened their position and served as the capital of their new republic. Although they were ultimately unsuccessful in taking control of Bambari from the Union pour la paix en Centrafrique, the violence in the surrounding areas nonetheless forced tens of thousands of people from their homes and sparked a humanitarian crisis. A dialogue in April 2017 finally convened representatives of all fourteen armed groups for a dialogue on the implementation of DDRR.³⁰ Conditions demanded by Adam's group for participation in the government and the armed forces, however, suggested that further discussion was needed.

INTERNATIONAL INVOLVEMENT

Regional and international organizations played a significant role both in laying the foundation for national dialogue in CAR and in directly supporting its implementation. First on the scene after the Séléka coup, ECCAS helped form the transitional government and set it on the path to dialogue and reconciliation. It also created the International Contact Group on the Central African Republic, which held its first meeting in May 2013 in Brazzaville. Comprising regional organizations, the AU, the UN, and bilateral partners of CAR, the group met regularly during the crisis; and at its fifth meeting in early July 2014, it called for a forum for national reconciliation.

The United Nations contributed financial, logistical, and facilitation support to the national dialogue process in CAR through the UNDP, MINUSCA, and the MSU. The UNDP worked closely with the Ministry of Reconciliation to develop local mediation mechanisms and implement the National Reconciliation Strategy. It also co-financed \$2.7 million to support reconciliation and political dialogue efforts with the UN Peacebuilding Fund, including the Bangui Forum and the popular consultations.

MINUSCA provided both logistical and political support in its capacity as a member of the Bangui Forum's preparatory bodies. Together with the UNDP, MINUSCA facilitated local consultations before the forum to strengthen community member participation. MINUSCA also provided secretariat support to regular weekly meetings with international partners known as the Group of Eight: the United Nations, ECCAS, the EU, France, the Republic of the Congo, the United States, the World Bank, and the mediator's team.

The United Nations tasked staff from the MSU to assist CAR's transitional government in developing a reconciliation strategy and action plan. The MSU also provided technical expertise in support of the Brazzaville Forum led by ECCAS. Beginning in October and November, the MSU supported the preparatory process for the

Optimism about the national dialogue process was high, and [its] initial outcomes were lauded as a major step forward. Critics raised some valid concerns, however, about the ability of the national dialogue to effect real change due to a series of limitations.

Bangui Forum by designing and participating in a two-day preparatory workshop.

The transitional government also received assistance from the Centre for Humanitarian Dialogue (HD Centre) in designing and implementing the dialogue process. Following a formal request from Samba-Panza in March 2014, the HD Centre's task was to help the government design and implement a durable political dialogue and national reconciliation process. This support took the form of a series of meetings and workshops designed to identify the main issues, create space for dialogue, and develop a common understanding of the roadmap for the transition ahead of the Bangui Forum. In addition, the HD Centre directly supported preparations for the forum by working with the Technical Organizing Committee and the Presidium to ensure inclusive participation and create an agenda based on the results of the popular consultations. At the close of the forum, the center contributed to drafting the Republican Pact for Peace and provided technical and capacity-building assistance to the monitoring committee. It also supported the translation of the final documents into Sango, one of CAR's official languages, for distribution to the public.

IMMEDIATE OUTCOMES

The Bangui Forum, as the culmination of the national dialogue process, resulted in a new DDRR agreement; a timeline for the elections; the Republican Pact for Peace, National Reconciliation and Reconstruction; the establishment of a monitoring committee; and the official recognition of Muslim holidays. Optimism about the national dialogue process was high, and these initial outcomes were lauded as a major step forward. Critics raised some valid concerns, however, about the ability of the national dialogue to effect real change due to a series of limitations: too little time for discussion, inability among all actors to meaningfully participate, failure to

publish the Bangui Forum report in a timely manner, lack of organization and support necessary for the monitoring committee, and immediate redirection of attention to the general elections. These limitations were immediately evident in the pushback against the outcomes of the forum, and over time have proven increasingly problematic as the country attempts to build peace and stability on the foundation of the national dialogue outcomes.

Republican Pact

The Republican Pact for Peace, National Reconciliation, and Reconstruction in the Central African Republic describes the path forward from the Bangui Forum. As an agreement for future action, it binds the participants and the transitional authorities to specific actions, organized according to themes. To ensure the implementation of the conclusions and recommendations of the forum, as outlined in the pact, the document provided for the creation of a monitoring committee.

The challenges with this pact include the extremely short timeline of the forum and the inability of the monitoring committee to effectively oversee the implementation of its recommendations.

DDRR

The DDRR agreement was negotiated with the militant group representatives present at the forum and mandated both that all groups give up their weapons by the 2015 general elections and that former combatants not charged with war crimes would either be integrated into state security institutions or become beneficiaries of income-generating community development projects. Armed actors from other countries who did not commit war crimes would be repatriated.³¹ In addition, UNICEF facilitated an agreement for the release of child soldiers. More than 350 children were released on May 14, 2015, just two days after the close of the forum.

One of the major problems for the DDRR program is that the armed group representatives did not feel as though they were able to fully participate in the forum discussions. This feeling may be attributed to the factionalization of the groups, the short time available to speak, the agreement being negotiated on the forum's sidelines, or the armed groups reportedly being pressured into signing. The lack of complete inclusivity created the conditions for a parallel peace process in Nairobi between the armed groups and the former presidents, and for violent protests after the closing ceremony.³² These events provided an opportunity for political expression not otherwise available, which laid the groundwork for continued violence closer to the elections.

Elections

The Bangui Forum called for the elections to be postponed to June and July for the parliamentary round, and to August for the presidential round. These postponements necessitated an extension of the transitional government's mandate, which ECCAS supported. Ultimately, because of violence and logistical delays, the first round of elections was postponed until December 2015, and the second round until March 2016, culminating with the inauguration of Faustin-Archange Touadéra on March 30.

Although the transitional government was able to successfully hold elections, the period after the forum was beset with a lack of energy and attention because of the focus on the elections. Because the forum was held in May and the elections were repeatedly postponed, major actors chose to prioritize preparations for the elections; as a consequence, some significant outcomes from the forum were either forgotten or underfunded. The peace talks in Brazzaville, the popular consultations, and the Bangui Forum were treated as stepping-stones on the way to the elections, which would signal the end of the transition and the return to stability, but not fully resolve the root causes of violence.

Recognition of Muslim Holidays

One of the most immediate positive outcomes was the official recognition of Muslim holidays. The first celebrated under this status was Eid al-Fitr, on July 18, 2015. Muslim holidays continue to be recognized, but Muslim citizens continue to deal with the same issues of marginalization and violence that they have for many years. In a particularly notorious incident on May 13, 2017, the Anti-Balaka launched an attack on Muslims in Bangassou, including two thousand people who sought refuge in a local cathedral. The attack took place two weeks before the start of Ramadan.

The Monitoring Committee

The monitoring committee, established by decree on May 23, 2015, operates under the authority of the Political Processes Steering Committee created by the Brazzaville Forum.³³ It was to include twenty-five members from the organizers of the Bangui Forum, the thematic commissions, government, civil society, religious groups, media, and more, and to elect an executive bureau to manage its functions. The committee was supported by a technical administration office of eight staff, the composition of which was left to the committee's discretion. The committee was instructed to put in place decentralized structures in the eight arrondissements of Bangui and the nation's prefectures and subprefectures.³⁴

One of the significant problems with the monitoring committee was its lack of the necessary organization and information to be effective. This issue arose from the poor coordination after the forum; the committee was established almost immediately but did not receive the report that would guide its work until several months later. This delay contributed to a loss of momentum and with it the necessary attention and support. Reports indicate that even three years after the forum, the monitoring committee was unable to secure office space that would allow it to do its work.



An honor guard waits for the Central African Republic's transitional President Catherine Samba-Panza to depart the parliament building in Bangui after taking the oath of office on January 23, 2014. (Photo by Jerome Delay/AP)

Closing Ceremony Protests and Violence

Several acts of protest and violence took place around the closing ceremony. Notably, Anti-Balaka representatives responded to the reading of the forum's final recommendations by shouting that their demands had not been included, and then walked out. Meanwhile, outside the forum an estimated two to three hundred Anti-Balaka and Séléka protested together that the forum had not enabled the release of their fighters who had been arrested by the government. Many also called for Samba-Panza to resign. UN peacekeepers fired shots into the air to break up the protests as the closing ceremony ended, a move that clouded the conclusion of the process.

IMPLEMENTATION AND LONGER-TERM IMPLICATIONS

Five years after the contested closing, the national dialogue continues to be a political touchstone for the ongoing peace process in the Central African Republic. Yet failure to support the monitoring committee and fully implement the forum recommendations has had an insidious effect on the cycle of conflict in the country. As is true of many of its predecessors, the Bangui Forum national dialogue did not fully address the drivers of conflict, and failure to implement certain agreed-upon provisions gave rise to additional grievances. These shortcomings also engendered a lack of faith in future dialogue processes for both armed groups and the general population. Indeed, immediately after the forum's conclusion, progress toward peace remained stalled and violence continued to escalate, resulting in record numbers of IDPs and

refugees. Armed groups proliferated, increased their territorial control, and remained active in an estimated three-quarters of the country.

The popular consultations that preceded the forum, the object of so much enthusiasm at the time, came to be seen as an exceptional event rather than the start of improved consultation and engagement between national leaders and communities. The consultation process combined with the memory of violence on the last day of the forum to create a lingering, elite-level narrative that citizen engagement adds an undesirable complexity. Failure to open sustained channels of communication, however, will continue to hamper efforts to end violent conflict.

Following the Bangui Forum, the international community has twice attempted to broker a new ceasefire deal with the armed groups. In June 2017, the Catholic social service association Sant'Egidio convened members of the fourteen major armed groups to sign a ceasefire in Rome. It was broken almost immediately. The following month, the African Union adopted a roadmap for a dialogue process, the AU Initiative for Peace and Reconciliation in the Central African Republic. After extensive consultations in the region and with the armed groups and CAR government, the process was finally brought to fruition at a two-week dialogue in January and February 2019 in Khartoum, Sudan. In implementing the peace agreement, the CAR government and the agreement guarantors—the

AU and the ECCAS Technical Secretariat—face the challenge of honoring the forum recommendations and ensuring that the roadmap for peace is integrated into this new deal. The need to preserve the forum outcomes was used to justify the exclusion of civil society representatives from the Khartoum negotiations since it was thought that their inclusion could result in an agreement that conflicted with or undermined the forum successes. Unfortunately, six of the armed group signatories to this agreement formed a new coalition in December 2020 in an attempt to halt the general election and seize Bangui. In response, President Touadéra proposed another round of dialogue with popular consultations for the beginning of his second term, offering some hope for a more inclusive peace process but also risking further frustration if the recommendations from this round fail to be implemented as well.

The Bangui Forum is an example of a dialogue process that failed to address the root causes of violent conflict. It succeeded, however, in renegotiating the social contract through both armed group and citizen consultation. In previous and subsequent negotiations and dialogues, the main parties are almost always armed group members and political elites, pushed by members of the regional and international bodies to resolve their disagreements. That the Bangui Forum included a far broader set of stakeholders was a positive step and a landmark moment that can be built upon, but was not enough to stop the cycle of violence.



Kenyans walk past graffiti calling for peace in Nairobi on August 13, 2017. (Photo by Jerome Delay/AP)

Kenya National Dialogue and Reconciliation

By Neha Sanghrajka

The Kenya National Dialogue and Reconciliation (KNDR) brought together stakeholders to identify solutions to the political crisis and widespread violence that took place after the 2007 presidential election, when the presidential candidate of the Party of National Unity was declared the winner against the one for the Orange Democratic Movement. The process was driven by pressure from the Kenyan media, business and civil society groups, and international partners who feared that the violence would further spiral without an immediate intervention. After several proposed dialogue arrangements were rejected, the African Union Panel of

Eminent African Personalities succeeded in persuading the parties to come to the table. The four agenda items for the dialogue included (1) the immediate action to stop the violence and restore fundamental rights and liberties; (2) measures to address the humanitarian crisis, promote reconciliation, healing and restoration; (3) how to overcome the political crisis; and (4) getting to the root of long-term issues and solutions. Agreement on the first two items was reached quickly, but progress on the second two was more arduous. Power-sharing arrangements to end the crisis required creative negotiating. The final agenda item, addressing the root

Figure 4. Kenya Timeline



Note: Not all events on the timeline are discussed in the text.

causes of conflict, led to the creation of a progressive constitution and new laws and institutions.

The KNDR included a narrow set of participants: four negotiators from each party. Influential domestic and international stakeholders remained constructively engaged from the inception of the process in late January 2008 until the 2013 elections that concluded the negotiated power-sharing arrangement. Not all of the reforms have been realized, and bringing the framework fully to life remains a challenge.

HISTORICAL CONTEXT

Since independence in 1962, and in particular since the advent of multiparty politics in 1992, ethnicity has played a central role in Kenyan politics. The nation's politicians rely on votes from members of their ethnic group, who in turn expect elected officials to return the favor by distributing government positions among the group. Violence along ethnic lines occurred in the lead-up to both the 1992 and the 1997 elections, and ethnic clashes occurred on a smaller scale before the 2002 elections. The 2007 elections saw a return to a higher number of election-related fatalities but with a new pattern: violence erupted after the announcement of the results rather than before the elections.

Ethnic polarization and deadlock heightened during the constitutional process initiated in 2000. The collapse of the Bomas constitutional talks in 2003 and the rejection (by referendum) of the subsequent government-endorsed Wako draft set the stage for the contested presidential election result in December 2007, which in turn triggered a violent political crisis.

Raila Odinga of the Orange Democratic Movement (ODM), which had campaigned successfully for a no vote in the 2005 constitutional referendum, emerged with an early lead following the December 27 vote. He subsequently declared victory on December 29, only to have the electoral commission declare incumbent Mwai Kibaki the victor by some 230,000 votes

on December 30. Odinga and his supporters alleged that the elections were rigged. Protests and retaliatory violence broke out, at first directed primarily against Kibaki's Kikuyu tribe in the Rift Valley and later spreading throughout the country, including Nairobi's marginalized neighborhoods. The electoral commission's responses to concerns over the counting and tallying of the votes only worsened the situation.

Ultimately, 136 constituencies in six of the country's eight provinces became engulfed in violence that lasted for five weeks.¹ This led to the death of 1,113 people and displaced more than six hundred thousand.² The ripple effect in the region was also significant because Kenya serves as a corridor for many of its neighbors; communications, transport links, and fuel and food supplies were all disrupted.³

Local and international stakeholders immediately reached out to the protagonists to contain the crisis before it spiraled further. Two local civil society groups were instrumental in building the momentum for mediating the crisis: the Concerned Citizens for Peace and Kenyans for Peace with Truth and Justice. The business community and the media played equal parts in pressuring the protagonists to start dialogue and negotiations.⁴ The Media Owners Association managed to get the four mainstream dailies (*Daily Nation*, *The Standard*, *Kenya Times*, and *The People*) to run a common headline—Save Our Country—on January 3, 2008.⁵

Stakeholders had diverse motivations for encouraging a mediated solution to the imploding crisis. The party in power, the Party of National Unity (PNU), saw an opportunity to legitimize its staying in power and possibly avoid any concessions to the ODM. The ODM saw an opportunity to internationalize the crisis, extract as many concessions as possible from the PNU, and possibly secure a rerun of the elections.

Civil society actors (including civil society organizations, faith-based organizations, women's groups, youth

Given the unrelenting domestic and international pressure for a solution, the protagonists toned down their incendiary statements, political parties began to reach out to one other, and armed groups . . . either reduced the intensity of their attacks or altogether stopped them.

groups, the media, and the business community) also had diverse motivations. Many saw the mediation as an opportunity to engender peace and prevent the crisis from escalating. The business community wanted to prevent further losses from the violence. The faith-based organizations, on the other hand, were more concerned with regaining their position as the moral authority of society and assisting in uniting a deeply divided nation. Still others saw the crisis as an opportunity to seek truth and justice about the events leading to the crisis and the political challenges the country had been grappling with since independence, including poverty, the inequitable distribution of resources (including land), and perceptions of historical injustices and exclusion.

ESTABLISHMENT AND MANDATE

Kenya's robust civil society played an important role in mobilizing local and international support for action to address the crisis. Civil society organizations sent emissaries to talk with the protagonists (Kibaki and Odinga) and their supporters to stem the rising violence, collaborated with the various arms of government in addressing the humanitarian crisis and setting up peace forums, provided briefings for the international community, and consistently ensured that the public was aware of efforts to resolve the crisis.⁶

Initial external efforts by several dignitaries, including Archbishop Desmond Tutu and several African former heads of state, did not manage to bring the principals together. As the crisis continued to escalate, African Union (AU) Chair John Kufuor convened an emergency meeting of the AU Commission and consulted African heads of states and the United Nations to find a way forward. On January 8, 2008, Kufuor arrived in Nairobi to convince the disputants to agree to a negotiated solution, supported by the AU Panel of Eminent African Personalities, which was led by Kofi Annan and included President Benjamin

Mkapa of Tanzania and Graça Machel of Mozambique. By this time, the intensity and extent of the crisis had compelled stakeholders to unite in urging a solution.

Domestic and international pressure for a political solution increased as the protagonists held their hard-line positions, compelling the international community to institute strategies to bring them to the table. On January 15, 2008, the international community issued a statement warning there would be consequences for development programs should the two parties fail to make progress in resolving the crisis.⁷ Similar statements were regularly issued during the negotiation and during the first two years of the implementation phase when progress was slow. Another key strategy was the threat of travel bans against political leaders who were regarded as obstacles to progress. This strategy was effective because many political and economic elites have educational, financial, and property links overseas.⁸

Faced with the unrelenting domestic and international pressure for a solution, the protagonists toned down their incendiary statements, and political parties began to reach out to one another. Armed groups—as well as citizens who had armed themselves during the crisis—reduced the intensity of their attacks or stopped them altogether. Civil society actors sustained the pressure for a political settlement by disseminating information and analysis to the public while providing regular briefings to the panel and the international community. On January 28, 2008, an agreement signed by Kibaki and Odinga provided for continuous and sustained negotiations under the auspices of the KNDR to enable a sustainable peace.

The KNDR's domestic mandate derived from its acceptance by political leaders and the public as well as Annan's insistence that it had to be the only game in

town. He was unequivocal from the start that he would chair the talks, but only on the understanding that none of the parties would engage in any “forum shopping.” Its international mandate derived from a common recognition that the AU panel had the necessary influence to convene the parties, and from the meetings that Annan had prior to his arrival in Nairobi to mobilize international support for the panel and ensure its recognition by key regional and international actors.

PREPARATORY PHASE

Annan’s arrival, originally slated for January 16, was delayed because of his health problems. This turned out to be fortuitous because it enabled him to build regional and international support for the process and gave the UN ample time to set up the Secretariat.⁹ By the time the panel arrived in Nairobi on January 22, 2008, the UN had already established the Secretariat.

A basket fund was quickly established via the UN Development Programme into which donors placed resources to support the process, thereby preventing funding issues from delaying preparations. During the preparatory phase, the panel received a number of staff who were quickly seconded to support the talks, including a spokesperson for the Secretariat from the UN Office Nairobi, political affairs staff from the UN, a chief of staff (first from the UN Department of Political Affairs in New York, later a staff person from the AU), advisers from the Centre for Humanitarian Dialogue (HD Centre), and political officers from the AU.

The week of the panel’s arrival saw important developments in the country. In a controversial vote in Parliament for the new Speaker, the ODM managed to push through an ODM Speaker and Deputy Speaker, which made it clearer that the PNU would not be able to easily govern and continue business as usual.

The Secretariat had already made contact with stakeholder groups and commenced preparatory activities by late January, which allowed the panel to immediately

begin engaging with stakeholders. The panel spent its first week in country meeting nongovernmental organizations, civil society groups, churches, businesses, and others to deepen its understanding of the crisis and inform the establishment of KNDR. They further visited the victims of the crisis to get firsthand knowledge of the extent and intensity of the violence. During this preparatory phase, the panel kept the public informed of developments through regular press conferences.

Between these stakeholder engagements, the panel held separate meetings with the PNU and ODM. On January 24, 2008, Annan privately met Kibaki and Odinga for more than an hour and implored them to begin negotiations. This was followed with a handshake between the two on the steps of Harambee House (the seat of the presidency) and an agreement to launch the negotiations.

After extensive discussions with stakeholders, the panel developed an agreement that Kibaki and Odinga signed, providing an agenda and a roadmap for the mediation process. On January 29, 2008, the panel formally launched the negotiations at Harambee House, followed by an opening ceremony in city hall.

Based on proposals submitted during the initial sessions of KNDR and on contributions from other stakeholders, the panel developed five key documents, which the parties later adopted after making minor adjustments. These documents remained a point of reference throughout the mediation process: agenda, annotation to the suggested agenda, structure and terms of reference of the panel, modalities for the KNDR, and rules of procedure for the KNDR.

AGENDA

From the outset, the panel made it clear that the process was not only about mediating the political crisis but also about providing a platform to tackle the challenges that had led to the crisis. The KNDR was to achieve sustainable peace, stability, and justice

in Kenya by focusing on the root causes of conflict while honoring the rule of law and respecting human rights. This vision informed the sequencing of the agenda items.

The panel's analysis of the conflict, both its immediate triggers and its structural causes, was critical in shaping the mediation process and its outcomes. Much of this analysis was informed by their consultations with a wide range of actors from civil society, business and other leaders during their first days in Kenya. The countrywide violence had demonstrated that the root issues were deeper, arising from Kenya's structural inequalities (including access to land), the nature of its institutions, and the state's relationship with its citizens. This early realization—that the problem was not just one of political disagreement over the disputed presidential election result—ensured that the ultimate focus of the mediation would be to achieve a political settlement that addressed the root causes of Kenya's problems.

The draft agenda was distributed to the negotiating teams on January 27, 2008. Following acceptance of revisions by the negotiating teams, the PNU and ODM penned their acceptance of the agenda without objection. The final agenda was released to the public after the third session on February 1, 2008:

- Item 1: Immediate action to stop the violence and restore fundamental rights and liberties.
- Item 2: Immediate measures to address the humanitarian crisis and promote healing and reconciliation.
- Item 3: How to overcome the political crisis (power-sharing).
- Item 4: Addressing long-term issues, including undertaking constitutional, legal, and institutional reforms; land reform; tackling poverty and inequality, as well as combating regional development imbalances; tackling unemployment, particularly among youth; consolidating national cohesion and unity; and addressing transparency, accountability, and impunity.

The panel sequenced the agenda in such a manner that the negotiating team could start on those issues around which it was easy to build consensus. Doing this would build confidence and engender cohesion within the team.

No additional items were added because the agenda was already broad enough to cover a wide range of concerns. It was clear to the delegates that some of the issues would not be resolved (nor should they be) in the format of the formal mediation process. As a result, several independent commissions would be established to further carry out the work based on the agreements reached in the first months of the KNDR.

DELEGATES

Even though the KNDR was described as a national dialogue and tackled issues that were national in scope, it was not intended to have wide participation. Instead, it had been envisioned as a smaller direct dialogue between the main conflict parties.

Kofi Annan had initially planned to conduct direct negotiations between Kibaki and Odinga. His first meeting with them, on January 24, 2008, however, demonstrated that the situation was too tense for any constructive dialogue. Consequently, he requested the principals to name three representatives to their negotiating teams.¹⁰ Following deliberations during the first and second sessions of the dialogue, the number was increased to four; a provision was made for liaison officers, who were tasked with taking notes and acting as a direct link to the principals. The selection of each party's representatives to the mediation was an internal matter; the parties were at liberty to constitute their own teams. To ensure gender balance, however, one delegate from each party was to be a woman.

Party seniority weighed heavily in the selections. The ODM was represented by Musalia Mudavadi as team leader, along with William Ruto, Sally Kosgei, and James Orengo. Two of the ODM negotiators, Mudavadi

and Ruto, were members of the party's highest decision-making organ—the Pentagon. Further, Mudavadi had been Odinga's running mate in 2007, and Ruto represented the region—the Rift Valley—that was the epicenter of the violence. Kosgei was selected on the basis of her long career in the civil service and her skills in diplomacy as a former minister of foreign affairs. Orengo, a lawyer, was brought on board later when it emerged that the PNU had a shrewd lawyer in Mutula Kilonzo. He was also considered a confidant of Odinga.

The PNU was represented by Martha Karua as team leader, then minister for justice and constitutional affairs; Sam Ongeru, then minister for education; Mutula Kilonzo, MP of the Orange Democratic Movement-Kenya (ODM-K); and Moses Wetang'ula, then minister for foreign affairs. Three PNU members were cabinet ministers: Karua, Ongeru, and Wetang'ula. Karua was both an insider in the Kibaki regime and the minister who would be among those charged with overseeing the implementation phase of the KNDR. Kilonzo was a senior counsel to the ODM-K's leader—Kalonzo Musyoka—who had aligned the ODM-K with President Kibaki and was then vice president of the country. Wetang'ula, added as the fourth negotiator, was an important participant because of his position as head of the country's diplomatic relations.

Gichira Kibara and Caroli Omondi acted as liaison officers for the PNU and ODM respectively. Including the negotiators, liaison officers, and support staff, each party's delegation totaled twenty people. The negotiating teams attempted to introduce alternates to sit in when a member was not available. However, the panel expressed its reservations about the appointment of alternates because it would impede progress by changing group dynamics. Ultimately, the panel rejected the proposal to include alternates.

The negotiating teams' role was to reach consensus on the agenda but also to keep the principals abreast of developments at the negotiations. It was assumed from

the outset that some of the more difficult issues would require direct discussions with the principals, but this was reserved for the thorniest issues and only as needed (at the discretion of Annan). The KNDR modalities document described roles and responsibilities of negotiators, including conducting the negotiations expeditiously and refraining from making statements to the media. The rules of procedure instructed the participants to not speak without the consent of the chairperson, to keep their remarks on topic, and to refrain from using offensive language.

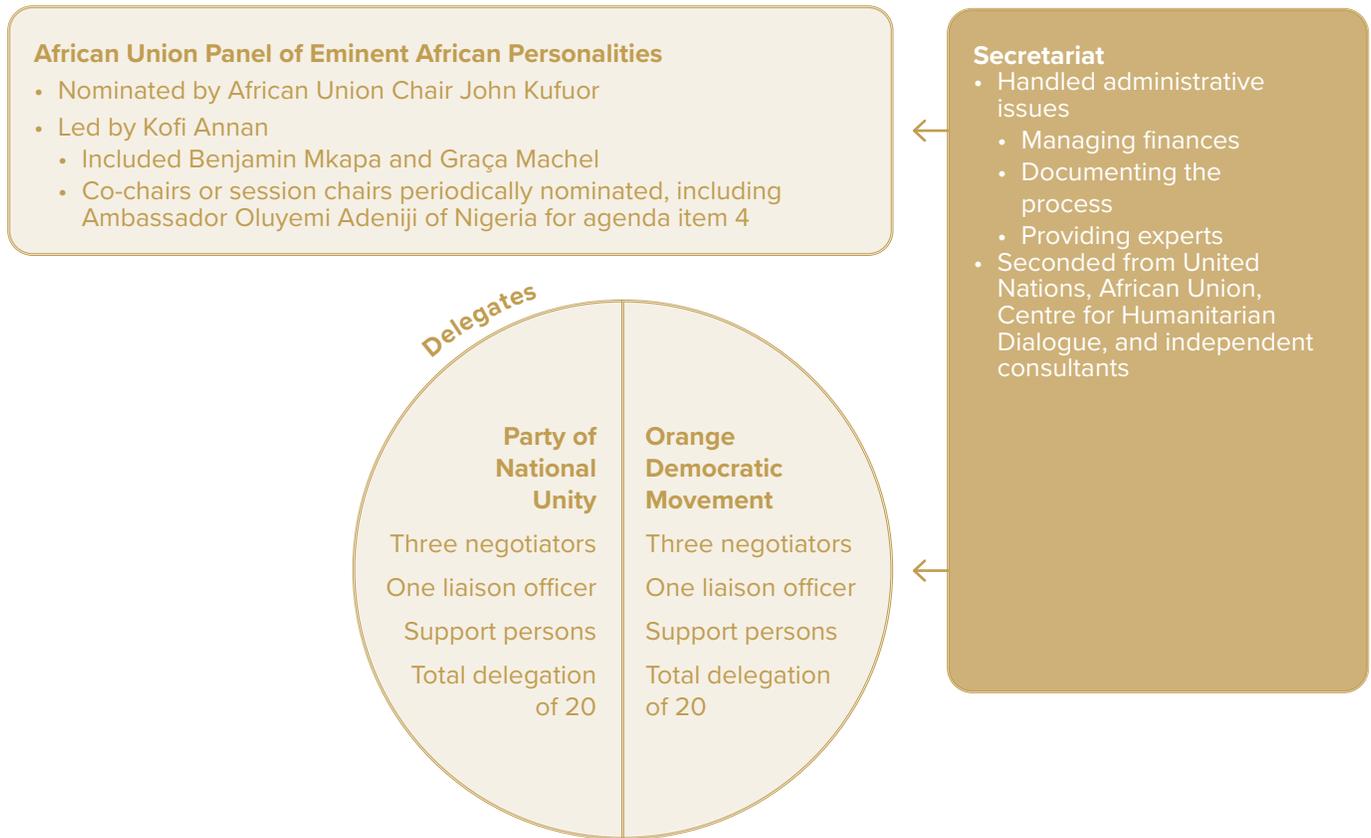
The modalities and rules and procedures documents guided the mediation process. Whenever the participants deviated from their roles and responsibilities, the panel reminded them of the gravity of the situation and brought them back on track. It also monitored media statements by the parties on a daily basis and called attention to any parties that breached the confidentiality understanding. As a result, the breaches were few.

After each session, the negotiating teams would meet with their principals, select party members, and local experts to debrief them and advise how to better engage in the subsequent session. Civil society made some early requests for direct representation in the talks, but the parties resisted and the idea was dropped. Given civil society's regular access to the panel and the parties as well as the two-way regular flow of information, including submission of ideas and positions from civil society, direct representation became less of an issue.

STRUCTURE

The support structure of KNDR consisted of the AU panel and the Secretariat, which handled administrative and technical issues. The Secretariat drew its staff from the UN, AU, HD Centre, and independent consultants. It was charged with managing finances, documenting the process, and providing experts during the negotiation phase. The experts assisted the negotiators in cutting through protracted arguments, depoliticizing discussions, and developing solutions to intractable challenges.¹¹

Figure 5. Kenya Structure and Delegates



Most of the dialogue was conducted in plenary sessions. Only during the discussion on agenda item 3 (power-sharing) was a committee tapped to assist in breaking the deadlock. The Legal Working Group on Governance (comprising Karua, Kilonzo, Orengo, and Ruto and supported by former under-secretary-general for legal affairs and legal counsel of the UN Hans Corell) considered the legal viability of a coalition government and prepared the draft National Accord and Reconciliation Act. The parties ultimately disputed some of the Legal Working Group’s document, however, and Annan had to step in to mediate the final power-sharing agreement between Kibaki and Odinga.

After the conclusion of the negotiations on July 29, 2008, the mandate of the Secretariat was expanded to assist the coalition government in the implementation of the KNDR agreements and addressing the root causes of the 2007 post-election crisis. In the post-KNDR

period, the Secretariat transitioned to be known as the Coordination and Liaison Office.

CONVENING AND FACILITATION

The KNDR was facilitated by a panel made up of Kofi Annan, Graça Machel, and Benjamin Mkapa. They were selected by AU Chair John Kufuor and accepted by the principals. The general public, stakeholders, and the negotiating teams accepted the guidance of the panel, given the stature of the three both globally and regionally. Annan was previously secretary-general of the UN, experienced in politics and negotiations, and had the unique ability to contact anyone across the globe. Benjamin Mkapa was the immediate former head of state of Tanzania and had an understanding of the dynamics of the region as well as the workings of a government with the post of a prime minister. Graça Machel led the 2006 African Peer Review Mechanism in Kenya and had

an in-depth understanding of the underlying issues in the country. She was also expected to be, and ultimately was, instrumental in ensuring that issues relating to women and children were addressed.

The structure and the terms of reference of the panel, together with the modalities of KNDR, guided the negotiations. They provided for decisions to be made by consensus during the negotiations and allowed for necessary consultation with the principals. They further empowered the panel to turn to independent consultants on an as-needed basis.

The panel's approach was to guide the negotiating teams toward developing solutions to the crisis rather than belaboring what was already in the public domain. The strategy was to foster solidarity and ownership by working toward a common goal, first building consensus on points of agreement before delving into contentious issues. The panel encouraged the negotiating teams to independently assess the pros and cons of the proposals before coming together in plenary. An important element of preventing the parties from backtracking was to ensure that at the beginning of every session they approved the official summary of the Secretariat's minutes of the previous session.

When the parties reached a deadlock over an issue, such as power-sharing, Annan and the other facilitators would use brackets in the draft agreements to denote what remained unresolved. This allowed the negotiating teams to move on and revisit the unresolved issue after making further progress.

Another important aspect of the facilitation was that every member of the negotiating team signed all agreements and decisions, which were then immediately released to the public. The public felt assured of progress forward because they were kept informed. This maintained pressure on the negotiating teams to continue making progress.

The panel was also authorized to appoint a session chair and co-chair to sit in during their absence. Ambassador Oluyemi Adeniji, former minister of foreign affairs of Nigeria, was appointed to fill the session chair role on the signing of the coalition agreement (agenda item 3) and to steer the discussion on addressing long-term issues (agenda item 4). Negotiations over the nomination of the post of the session chair were intense, and other candidates were rejected. Ambassador Adeniji reported to Kofi Annan, and Annan and the panel members did return for certain events as part of the final mediation and implementation talks.

PUBLIC PARTICIPATION OPPORTUNITIES

Despite the lack of any formal public participation, the Kenyan public contributed to the KNDR by putting pressure on the political elite to engage in dialogue and reach consensus. The public interacted with the process through four channels. First, political leaders met with their constituents during the negotiations to help calm the rising tensions in the country. Annan had suggested to the principals that they visit affected communities and appeal for calm, and later made the suggestion that a group of cross-party MPs do the same. One of the negotiators, Kosgei from the PNU, periodically went to her constituency (Aldai Constituency in Nandi County) to calm tensions and help avert violence.

During negotiations on agenda item 3, the panel went to Parliament to request the support of MPs in the process and to ask them to engage their constituencies to ensure that once an agreement was reached, it would enjoy the support of the public. They also used this platform to persuade the public that a coalition government was inevitable, thus smoothing the way for parliamentary support for the constitutional amendment required to secure the agreement.

A second mode of participation in the dialogue was regular interaction between the panel and civil society. Civil society input helped the panel to understand issues underpinning the crisis and was instrumental in

generating the proposals the panel floated during the negotiations to resolve the political deadlock. Further, civil society provided briefings to the international community that helped in generating a concerted approach to the situation. The same groups were also quick to analyze the agreements arising from the negotiations and to disseminate that analysis to the populace.

Third, the public remained informed through the panel press conferences and Secretariat communications. The Secretariat released statements through the print and broadcast media at critical junctures during the mediation process and created a website on which all KNDR agreements, reports, and statements were posted.¹² The Secretariat also monitored media reports on a daily basis to gauge public feedback on the mediation process and to respond to public concerns.

Fourth, during the implementation period, the panel and the Secretariat organized three conferences—in 2009, 2011, and 2012—to provide a platform for the public to engage the coalition government and inform the implementation process. The first conference led to an enhanced relationship between the Secretariat and civil society in coordinating advocacy activities to support the implementation of KNDR agreements. The other two helped in assisting the public to sustain the pressure to implement KNDR agreements.

The way the panel reached out to stakeholders (both publicly and behind the scenes) and consistently publicized team decisions helped strengthen positive perception of the KNDR. The public felt that this process would ensure that citizen interests were represented during the talks.

In terms of complementary processes, citizen dialogue was also facilitated by leading Kenyan civil society organizations, including Concerned Citizens for Peace under the leadership of Dekha Ibrahim, and Kenyans for Peace with Truth and Justice. These dialogues and consultations helped build support for the formal KNDR process.

POLITICAL AND CONFLICT DEVELOPMENTS DURING THE DIALOGUE

The 2008 assassinations of ODM MPs Mugabe Were on January 29 in Nairobi and David Kimutai Too on January 31 in Eldoret again increased tensions across Kenya just as violence had begun to subside. Although these events threatened to derail the dialogue's start, they ultimately did not.

Although the negotiators had reached agreement quickly on agenda items 1 and 2, the opposition of hard-liners in both camps to power-sharing became evident during the beginning of the discussions on agenda item 3 to resolve the political crisis. President Kibaki denounced any attempt to change the structure of governance outside the constitution. The PNU Parliamentary Group then categorically stated that power would remain centralized in the presidency and that a post of prime minister would not be created. Then, in response to PNU comments, the ODM Parliamentary Group issued a statement that it would resort to peaceful mass action to ensure the proposals on power-sharing were realized.

Throughout February, the panel used various tactics to encourage the negotiators to make progress on a power-sharing agreement. The panel briefed Parliament on February 12 to encourage politicians to work collaboratively and then convened a negotiators' retreat at Kilaguni Lodge to enable focused conversations. At Kilaguni, the negotiators agreed to establish a commission on the review of the 2007 presidential elections and nominally agreed on the need for a prime minister position. The ODM made a significant concession in agreeing that the elections would not be repeated. After the return to Nairobi, however, negotiations stalled further, and the panel instructed the parties to form a legal working group on governance, which also made little progress.

Ultimately, the panel decided on February 25 to suspend the negotiations, bypass the hard-liners, and work



Kenya's President Mwai Kibaki (center) and opposition leader Raila Odinga (right) shake hands to express their commitment to dialogue as African Union Panel of Eminent African Personalities Chair Kofi Annan claps in Nairobi on January 24, 2008. (Photo by Antony Njuguna/Reuters)

directly with Kibaki and Odinga to reach an agreement on the political crisis. After engaging with the principals separately on February 27, the panel met with both Kibaki and Odinga on February 28 and reached an agreement on power-sharing after a five-hour meeting. This National Accord and Reconciliation Act, which created a prime minister position and two deputy prime minister positions, was passed by Parliament in March 2008 as a constitutional amendment.

INTERNATIONAL INVOLVEMENT

Concerted international support was critical to the KNDR process and its implementation. AU Chair John Kufuor and the AU Commission initially tasked the Panel of Eminent African Personalities with undertaking the mediation. Kofi Annan's previous position as secretary-general of the UN enabled him to galvanize the support of the international community, inspire

confidence in Kenyan citizens, and motivate the parties to come to the table. During the mediation process and in coordination with Annan and the panel, a variety of international delegations visited Kenya and made phone calls as needed to apply pressure. These efforts were supplemented by internal pressure from Kenyan stakeholders, who played a critical role in helping international actors understand the Kenyan situation and how best to apply leverage.

The international community continually reminded the disputants that should they fail to resolve the crisis, the international community would be compelled to intervene. On February 7, 2008, the US Senate Subcommittee on Africa, the UN Security Council, and the European Union (EU) threatened to intervene if the talks collapsed. EU Commissioner Louis Michel subsequently visited Kenya to not only affirm the EU's support

The list of related issues was too broad to be exhaustively settled in the mediation process. The depth and breadth of these issues meant that a significant proportion of the real work was left to the anticipated constitutional process in 2010.

to the panel but also to caution hard-liners against any attempt to detail the mediation process. Canada and the United States issued travel bans against politicians implicated in violence. The United Kingdom and Switzerland threatened to execute a similar move.¹³

International pressure would prove critical in breaking the deadlock on agenda item 3. US President George W. Bush dispatched Secretary of State Condoleezza Rice to meet with the panel, and later separately with the principals, to convey the message that the United States expected nothing short of a power-sharing agreement to resolve the crisis and end the stalemate—otherwise business would not continue as usual.¹⁴

When the mediation concluded on July 29, 2008, the panel transitioned its work to the Coordination and Liaison Office, which was tasked with supporting the coalition government and the dialogue team in the implementation of the KNDR recommendations as well as preparing the archives of the process. Coordination within the broader international community was conducted through the Donor Coordination Group (DCG). A key DCG working group, the Democratic Governance Donor Group, met regularly and deliberated on the reforms called for in agenda item 4. It created five subgroups that were influential in funding subsequent reforms and mobilizing support for civil society throughout the implementation period of the KNDR reforms.¹⁵

The international community provided financial and technical support to the entire mediation process from its inception up to the time the mandate of the coalition government came to an end. The UN Development Programme set up a basket fund, later administered by the UN Office for Project Services, into which all donors were able to pay and pool resources for the core mediation process and the panel's continued involvement.

The independent commissions carrying out work based on the agreements were also supported by groups of individual donors. The only separately funded activity was the periodic monitoring and evaluation of the KNDR agreements and implementation by South Consulting, which was supported by the Open Society Initiative for East Africa.

IMMEDIATE OUTCOMES

Agenda items 1 and 2 were concluded within a week because parties recognized the urgency of stemming the violence and providing for the humanitarian needs of internally displaced persons (IDPs). The first item—immediate action to stop violence and restore fundamental rights and liberties—was resolved with a statement on February 1 issuing a series of instructions to the police and general public. The statement also included nine general pronouncements, including the guarantee of freedoms of assembly and expression, a call for impartial investigations, and an end to threatening messages. The statement resolving the second agenda item included recommendations for the protection and eventual return of displaced persons and the provision of services in the meantime, including a humanitarian fund for the mitigation of effects and resettlement from post-2007 election violence. A public statement was released on February 4.

The most contentious was agenda item 3, which dealt with power-sharing and providing a framework within which constitutional, legal, and institutional reforms could be undertaken. The agreement between Odinga and Kibaki and Parliament's passing of the National Accord and Reconciliation Act were the cornerstones of the political settlement. On March 4, the parties also signed agreements creating the Truth Justice and Reconciliation Commission (TJRC), the Commission of Inquiry into Post Election Violence (CIPEV), and the Independent Review Commission (IREC).

Kofi Annan departed Kenya in early March 2008 and left the mediation of agenda item 4 in the hands of Oluyemi Adeniji, Nigeria's former foreign minister. The momentum of the process waned somewhat, several of the negotiators being occupied with new government posts and the parties consequently meeting with far less frequency between March and July 2008.¹⁶ This fourth agenda item was the most challenging to execute because it covered a broad spectrum of issues the country had been grappling with since independence: land reform; poverty and inequality; unemployment, particularly among youth; consolidating national cohesion and unity; preventing impunity and promoting transparency and accountability; and constitutional and institutional reform. The parties agreed to a general statement on the issues on May 23, 2008.

The sense, though, was that the list of related issues was too broad to be exhaustively settled in the mediation process. The depth and breadth of these issues meant that a significant proportion of the real work was left to the anticipated constitutional process in 2010. This process, it was expected, would set the stage for the enactment of laws and institutions to address long-standing drivers of conflict in Kenya. Alongside the anticipated constitutional process, several new laws and institutions were created to address the agenda item issues. These included a youth employment Marshall Plan, a new ministry for the development of northern Kenya and other arid lands, and a police oversight board.¹⁷

The major agreements, resolutions, and recommendations issued by the KNDR include agreement on immediate measures to stop the violence; agreement on immediate measures to address the humanitarian crisis and promote reconciliation, healing, and restoration of stability; agreement to establish IREC to investigate all aspects of the 2007 presidential election and make recommendations to improve future electoral process; agreement on the principles of partnership of the coalition government; the National Accord and

Reconciliation Act 2008; general principles and parameters for the IREC; general principles and parameters for the CIPEV; general principles and parameters for the TJRC; and a roadmap for a comprehensive constitutional review.

IMPLEMENTATION AND LONGER-TERM IMPLICATIONS

The modalities document for the KNDR clearly stated that the parties were bound by the outcome of the process and were tasked with ensuring its implementation. The Ministry of Provincial Administration and Internal Security and the Ministry of Transport provided regular briefings to the KNDR on their progress in implementing the recommendations from agenda items 1 and 2. Despite the urgency around these issues, the recommendations were not fully implemented, with several official reports confirming that the government's humanitarian response and efforts to resettle IDPs had been incomplete and poorly organized.¹⁸

After the agreement on power-sharing (agenda item 3) and Annan's departure from the country, Adeniji oversaw the negotiations on agenda item 4 and a debate on the role of the KNDR in the implementation of the KNDR agreements. The government released both its Vision 2030 plan and its five-year plan in 2008, both of which included some degree of overlap with the items agreed to in agenda item 4.

Three action items were identified to ensure implementation of the KNDR agreements: the negotiators' continued commitment (in their new cabinet roles) to ensuring the implementation of the agreement, the transition of the negotiating team to a dialogue team that would liaise with the Kenyan government on implementation, and the contracting of Kenyan firm South Consulting to provide regular reports on implementation. From the first meeting of the dialogue team on January 30, 2009, until the general election on March 4, 2013, fourteen meetings were held to review the progress in implementing the KNDR agreements.



Members of the Kenya Army rehearse for a military parade in Nairobi, Kenya, on August 24, 2010, ahead of Kenyan President Mwai Kibaki signing a new constitution. (Photo by Sayyid Azim/AP)

The panel itself continued to conduct periodic visits to Kenya after the KNDR to support and encourage efforts to comprehensively implement the agreements. The panel also organized three conferences on the reform agenda to enable public participation in the process and facilitate international stakeholders' interaction with the Kenyan government on these issues. In addition to its visits, the panel continued to follow the political situation in Kenya closely. When necessary, it also engaged—both publicly and behind the scenes—to remove roadblocks to implementation, particularly when political tensions between coalition partners surfaced.

The detailed implementation of the agreements resolving agenda item 3 proved challenging. Several mechanisms—including the Legal Working Group, the Permanent Committee on the Management of Coalition Affairs, and the Grand Coalition Management

Team—were unable to bring the parties to agreement on the detailed workings of the coalition. Conflict surfaced at various points, including over cabinet roles, with the ODM expressing discontent that the PNU had already assumed control of important ministries before the power-sharing accord, and meaningful cooperation between the parties remained elusive at points.¹⁹ Nonetheless, that the Government of National Unity continued to function through the end of its mandate in April 2013 is a significant achievement.

The KNDR had enabled the cessation of hostilities and put in place a framework to address the challenges that almost led the country to a precipice, but the institutions created by the KNDR have a mixed record. The IREC conducted a detailed review of the 2007 elections and the Elections Commission of Kenya, finding that the 2007 election was deeply flawed and that the

commission lacked the capacity to oversee fair elections. The IREC made several recommendations that were passed into law, including the creation of interim elections and electoral boundary commissions that paved the way for more credible permanent institutions.

The CIPEV worked for three months to produce a final report, in which it recommended that the government create a special tribunal. This never unfolded, despite intense pressure from the panel. Per the agreement between the two leaders and Parliament, at the failure to set up a national process, the International Criminal Court opened investigations that led to six individuals being accused of involvement in the violence, with confirmed charges brought against four others. The Kenyan government continually interfered with preparations for the trial, and the cases were eventually referred back to Kenya at the recommendation of the African Union. The government's unwillingness to hold the perpetrators of violence accountable has been a disappointment for many Kenyans.

The TRJC faced numerous challenges: criticism from victims' groups that felt that it did not adequately provide for the protection and well-being of victims offering testimony, conflicts over leadership, and politicization over its relationship to the International Criminal Court and other justice mechanisms. When the TJRC was established, the public, especially human rights defenders and victims, challenged the appointment of Bethuel Kiplagat as chairperson because of his role in the 1984 Wagalla massacre, a period the TJRC was expected to investigate. This delayed the commencement of its activities and, though Kiplagat managed to remain in office, reduced the credibility of the TJRC final report, especially after three non-Kenyan commissioners declined to append their signatures to certain sections of the report.

After some delay, Parliament passed two laws in December 2008 to begin the constitutional process. The Committee of Experts on Constitutional Review worked through 2009 and the first part of 2010 before a third and

final draft of the constitution was passed in April 2010. The constitution responded to many long-standing grievances and sought to establish independent institutions to promote accountable government. The most significant change was the devolution of power to forty-seven county-level governments, which was envisioned to occur gradually over three years. The new constitution was heralded as a significant achievement. The reforms it mandated, however, have yet to be fully implemented, and progress on devolution has been particularly slow.

The consensus during and immediately after the crisis was that the panel's intervention turned the situation around in a short span of forty-one days and brought the country back from the brink. Hard-liners in the PNU, however, felt that the country would have survived the situation and rebuilt itself without external intervention. To them, the power-sharing agreement was a failure on the part of President Kibaki, whom they accused of making too many concessions to the ODM, to consolidate the PNU's power. In the years that followed, these hard-liners would derail implementation of the reforms the KNDR was expected to deliver. The thinking among the general population about the successes of the KNDR hinged on political affiliation: those allied with the PNU criticized the KNDR reforms and argued that they constituted interference with the sovereignty of the country, while ODM supporters saw the dialogue as successfully addressing some of the country's challenges.

Civil society, the religious community, and the business community tended to perceive the KNDR as a success despite the lack of political will to implement its instruments, pointing out that the KNDR was an important contribution to democratic progress. Others argued that the political elite continued to control many of the newer institutions, denying them the independence envisioned in the constitution. Fears were that violence would erupt in 2013 because reforms targeting underlying conflict drivers were incomplete, but a flood of peace messages in the media and the suppression of dissenting views prevented this.²⁰

In the months leading up to Kenya's 2017 general election, tension was high. The expectation had been that devolution would redistribute power to lower levels and make the contest for the presidency less antagonistic. At the same time, devolution had the unintended effect of raising tensions in some parts of the country as different ethnic groups or clans sought to control the running of the county governments. The contest for the presidency remained intense and included election-related fatalities in the lead-up to the election.

Although the conduct of the vote in the 2017 general election, held on August 8, was largely peaceful, the release of the presidential results at night was followed by police attacks on citizens in parts of Nairobi, Homa Bay, Migori, Siaya, and Kisumu, which are considered to be bedrocks of the opposition. International observers had declared that the conduct of the election was free and fair, but some local observers and the opposition argued otherwise. The opposition went to court to challenge the presidential

election, which the Supreme Court annulled in September 2017. International observers were forced to backtrack after the Supreme Court verdict. Odinga subsequently withdrew from the election rescheduled for October 2017 and participated in a public "inauguration" ceremony in February 2018, which led to a period of uncertainty in Kenya. Odinga and Uhuru Kenyatta reconciled in April 2018 and together launched the Building Bridges Initiative, a nationwide consultative process undertaken by a fourteen-member task force to make recommendations on reforms to address the challenges Kenya is facing.

The electoral and judicial reforms initiated by the KNDR process had an impact on the way in which the elections were conducted and contestation of the presidential results were determined, but the quest to entrench the KNDR reforms and give full life to the constitution remains slow. Although the KNDR set out a clear roadmap for reform, it has not markedly altered the power dynamic in Kenya.



Lebanese Prime Minister Saad Hariri, right, speaks with Christian leader Michel Aoun, left, as leaders of more than a dozen political factions meet for talks in Baabda, east of Beirut, Lebanon, on June 17, 2010. (Photo by Bilal Hussein/AP)

Lebanon's National Dialogues

By Elie Abouaoun

This case study examines the 2006 and 2008–2012 Lebanese national dialogue processes, chaired respectively by Speaker of Parliament Nabih Berri and President Michel Sleiman. Although national dialogues in Lebanon have succeeded in keeping lines of communication between rival factions open at times of high tension, they have yielded little in the way of tangible results and have ultimately failed to address the core issues driving conflict within the country. The rationale for the dialogues, presented in public statements by President Sleiman and others, highlighted the need to discuss sensitive issues to strengthen institutions and regulate the political debate. However, the post-2005 period has demonstrated that Lebanon's politics could not function without a consensus-building mechanism, for which the successive

rounds of dialogues provided a platform. The dialogue processes—like Lebanese politics more broadly—have been greatly influenced by both the power-sharing agreements and ongoing rivalries between the main sectarian groups and by the powerful regional actors.

HISTORICAL CONTEXT

Following independence, Lebanon's political system was predicated on an unwritten informal agreement known as the National Pact, which came into being in 1943 and established a unique power-sharing system whereby the president would be a Maronite Christian, the prime minister a Sunni Muslim, and the Speaker of Parliament a Shiite Muslim. A Christian-Muslim ratio of 6:5 was adopted for the Parliament and the rule of parity was

Figure 6. Lebanon Timeline



Note: Not all events on the timeline are discussed in the text.

agreed upon for the government and the administration.¹ However, a mix of factors—the creation of the State of Israel in 1948, the Cold War, widespread nepotism and corruption, Christian hegemony over political decisions, and the absence of a balanced policy in social development, among others—deepened the gap between the country’s factions and led to growing frustrations. Muslim communities felt marginalized from the political decision-making process, while Christians feared for their security due to the growing militarization of the Palestinian refugee communities, especially in the late 1960s.

The 1969 Cairo Agreement, struck between the Lebanese Armed Forces and the Palestinian Liberation Organization (PLO), sought to regulate the presence of Palestinian armed groups in Lebanon, which had begun to cause tensions, primarily with Christian and later to a lesser extent with Shiite communities. Thousands more Palestinian fighters joined their compatriots in Lebanon following their expulsion from Jordan in 1970. The internal Lebanese political divide, coupled with the Palestinian armed presence in country, exacerbated tensions and culminated in a series of violent acts that ignited a fifteen-year civil war (from April 1975 to October 1990) pitting Muslim (supported by Palestinian) and Christian armed factions against one another, and at times including intragroup fighting. The civil war, which also included Israeli and Syrian military invasions, left more than 175,000 dead and 17,000 disappeared and severely damaged the country’s infrastructure and social fabric.²

During the civil war period, no dialogue was able to contain the violence. Between 1976 and 1982, several small initiatives to mediate among the conflicting parties did not lead to concrete results beyond short-lived ceasefires.³ In 1982, American diplomat Philip Charles Habib chaired a mediation that led to the withdrawal of Israeli forces from most parts of Lebanon and the evacuation of all PLO elements and leadership from Lebanon as well as the deployment of a multinational peacekeeping force. In 1983, again with US help, Israel and Lebanon reached a peace agreement known as the

17th May Agreement that—if implemented—would have contributed to the normalization of relations between the two countries. Opposition from Syria and Muslim groups within Lebanon, however, led to renewed internal clashes and pushed Lebanon to revoke the accord, an act that deepened the political crisis. A 1983 national dialogue conference convened in Geneva by Lebanese President Amine Gemayel and a subsequent meeting in Lausanne led to only modest outcomes, in large part because regional powers were unable to reach consensus.

A 1985–86 negotiation process culminated in a tripartite agreement finalized in Damascus and signed by the three parties: the Shia Amal movement, represented by Nabih Berri; the leader of the Druze Progressive Socialist Party, Walid Jumblatt; and the leader of Christian Lebanese Forces, Elie Hobeika. The agreement included political and constitutional reforms—a new electoral system, the redistribution of powers—but was rejected by the major Christian political forces, all of whom believed that it ceded far too much formal influence to Syria.⁴ By the end of 1988, Parliament was unable to elect a successor to the outgoing President Amine Gemayel. Lebanon was ruled by two governments simultaneously: Army Commander General Michel Aoun as a prime minister (appointed by Gemayel) and the pro-Syrian caretaker Prime Minister Salim al-Hoss.

In this context, the League of Arab States (LAS) convened a mediation that included all political leaders and major regional actors, including Syria and the PLO. An interim agreement declaring Beirut free of militias was being negotiated when the tension between the Lebanese and Syrian armies escalated into a full-fledged war in March 1989. The LAS mediation initiative called for a national dialogue conference in Taif, Saudi Arabia. This included a yearlong mediation by the LAS and a two-month meeting of the surviving Lebanese MPs (who had been elected in 1972).⁵ The resulting Taif Agreement in 1989 was a major turning point in the Lebanese conflict because it managed to stop the violence and introduce—at least on paper—a set of political reforms, as

Through early consultations, an agreement was reached that the participants would be equally representative of Christians and Muslims and the March 8 and March 14 coalitions. These quotas were still difficult to fill because the religious leaders were allied with political blocs in varying ways.

well as significant amendments to the Lebanese constitution.⁶ Despite the reforms and cessation of violence, many Christians saw the agreement as a capitulation resulting from the fragmentation of the Christian religious and political establishment, the absence of regional or international patrons, and the inability of Prime Minister Michel Aoun to rally a critical mass of Muslim supporters to the War of Liberation to fight the Syrian Army. The agreement effectively led to the international community's ceding to Syria exclusive control over Lebanon's politics and economics for fifteen years.

2006 NATIONAL DIALOGUE

The postwar years (1990–2005) were characterized by Syria's influence in country, with those against the Syrian presence, namely factions within the Christian community, marginalized from the postwar political order.

The undeclared and informal international mandate of Syria in Lebanon faded away toward the end of 2003 over Syria's decision not to participate in the coalition against Saddam Hussein and its support of radical Iraqi elements. The standoff between the West and Syria culminated in the passage of UN Security Council Resolution 1559 on September 2, 2004, which called for the election of a new president, the disarmament of pro-Iranian Hezbollah, and the complete withdrawal of the Syrian Army from Lebanon. The next day, under the influence of Syria and its ally Iran, a three-year unconstitutional extension of the mandate of the outgoing and pro-Syria president, Emile Lahoud, was imposed.

On February 14, 2005, former Lebanese Prime Minister Rafik Hariri was assassinated in downtown Beirut. In the aftermath, mass demonstrations and both regional and international pressure led to the withdrawal of Syrian troops and the return to the political sphere of those parties marginalized during the Syrian hegemony period

(1990–2005).⁷ Hariri's camp and their Saudi patrons accused Syria and Iran of Hariri's assassination. An international fact-finding commission (later transformed into a UN investigation committee) was established under UN Security Council Resolution 1595, a prelude to the establishment of an international Special Tribunal for Lebanon (STL).⁸ The tribunal became another source of division in Lebanon. Whereas the pro-Hariri camp considered it essential to reveal the truth behind the assassination, the pro-Syria camp saw it as a tool to increase the pressure on Syria and Hezbollah that would lead to the dismantlement of the Shiite armed force in which Iran had invested heavily since 1982. This sharp division was reflected in almost every aspect of Lebanon's political life, including minor matters such as the day-to-day work of the government, given that one major coalition called for the president's resignation (March 14 bloc) and a second backed his continued mandate (March 8 bloc). It was in this context in 2006 that Speaker Nabih Berri called for a national dialogue to break the deadlock and defuse the tension between the major political factions.

Establishment and Mandate

The 2006 national dialogue initiative was established informally rather than by legislation, peace agreement, or decree. It was convened by Speaker Berri in an attempt to defuse the tension that followed Rafik Hariri's assassination and the polarization over Resolution 1595. Its informal mandate derived from the pre-dialogue consultations carried out by Berri and his advisers.

Preparatory Phase

As a Shiite leader with relationships with all major political factions, Berri was well placed to convene the national dialogue. Nonetheless, he was initially criticized by some political leaders who doubted that such an initiative could be fruitful at a time of high political polarization, when one major political coalition was

calling for the resignation of the president. As both the convener and the lead facilitator, Berri worked with his political advisers to prepare for the first session of the dialogue, which was held on March 2, 2006.

After announcing his plans to convene a national dialogue, Berri and his team worked to secure major political leaders' commitment to participate. In doing so, he sought prospective participants' agreement on the overall composition of the group. Through early consultations, an agreement was reached that the participants would be equally representative of Christians and Muslims and the March 8 and March 14 coalitions. These quotas were still difficult to fill because the religious leaders were allied with political blocs in varying ways. Berri himself did not decide on the final participant group; instead, he collected nominations and proposed participants before then conducting a sort of shuttle diplomacy between the prospective participants until they reached consensus on the composition of the group.

Agenda

The agenda items for the dialogue included the UN investigation into Rafik Hariri's assassination, relations with Syria (including border demarcation), Resolution 1559, and militia disarmament. The presidential crisis—members of the March 14 coalition calling for the president to resign—was the backdrop for the dialogue and an agenda item in and of itself. During the dialogue, the delegates reached agreements and issued declarations on four items: the Rafik Hariri investigation (which paved the way for the establishment of the STL), Lebanese-Syrian relations, the Palestinian issue, and the Shebaa farmlands.⁹ No agreement was reached on the issue of the presidency or the disarmament of Hezbollah.

The agenda was driven largely by Berri but agreed to by the participants before the start of the dialogue. In its convening, agenda setting, and participant selection, the 2006 national dialogue was very much an elite affair. No citizen consultations were held as the agenda was set, and citizen advocacy had no wider role in the process.

Delegates

At its outset, the dialogue included fourteen senior Lebanese political leaders. Berri, himself a Shia and a member of the March 8 coalition that supported President Lahoud, sought to ensure a balance between it and the March 14 coalition that was calling for the president's removal. The senior politicians were invited to attend with two assistants each. The participants, listed below, represented political groups of various sizes, including leaders of small parties, but the main criteria was that they had representatives in the current Parliament.

- Nabih Berri (Speaker of Parliament and member of the March 8 alliance)
- Fouad Siniora (Lebanese prime minister at the time and member of the March 14 alliance)
- Amine Gemayel (Christian political leader, member of the March 14 alliance, and president of the republic from 1982 to 1988)
- Michel Aoun (former prime minister and Christian political leader and member of the March 8 alliance)¹⁰
- Boutros Harb (Christian political leader and member of the March 14 alliance)
- Saad Hariri (son of Rafik Hariri and member of the March 14 alliance)
- Walid Jumblatt (Druze leader, at the time a member of the March 14 alliance)¹¹
- Michel Murr (independent Christian leader and pro March 8)
- Hagop Pakradounian (Armenian member of Parliament and March 8 alliance)
- Mohammed Safadi (Sunni political leader and member of the March 14 alliance)
- Ghassan Tuani (independent Christian leader and pro March 14 alliance)
- Elias Skaff (Christian political leader and member of the March 8 alliance)
- Samir Geagea (Christian political leader and member of the March 14 alliance)
- Hassan Nasrallah (Hezbollah secretary-general and member of the March 8 alliance)

Figure 7. Lebanon Structure and Delegates

2006 DIALOGUE



2008–2012 DIALOGUE



Structure

All sessions of the dialogue were conducted with the entire group; no subcommittees were formed. The two assistants who accompanied each political leader did not generally speak or even sit at the main table, but instead played support roles; seats at the table were reserved for the political leaders. All decisions were made by consensus, and no deadlock-breaking mechanism was built into the structure.

The 2006 national dialogue had no formal secretariat. Berri had convened the dialogue in his role as Speaker of Parliament, and his office provided the necessary support for logistical and administrative issues (including hotels for participants, who felt that it was unsafe to be moving around the city). No formal rules or code of conduct were in place aside from a general agreement about the agenda items to be discussed.

Convening and Facilitation

Berri convened the dialogue and facilitated all of the sessions. His facilitation style ranged from formal to informal depending on the issue being discussed.

Berri was uniquely positioned to serve as convener. His identity as a Shia and his position within the March 8 political bloc earned him the trust of Hezbollah. At the same time, since he was not directly affiliated with Hezbollah and was Speaker of Parliament and a seasoned politician, he was able to maintain good relationships with other political parties and with the major embassies in Beirut. Having been a warlord and Speaker since 1992, he knew about the intricate histories and past dealings of each of the participating politicians and was able to leverage this knowledge to encourage the group toward consensus.¹²

Berri did not simply facilitate; he also functioned as a third-party mediator in that he proposed compromises and pushed the group to consensus.

Public Participation Opportunities

The dialogue offered no public participation opportunities. Similarly, no track 2 dialogue process supported or fed this track 1 dialogue. The public became aware of the results through formal statements issued to the media by Berri's office. Although there was an informal agreement among participants not to discuss developments to journalists, leaks did occur periodically.

Lebanese public opinion was generally ambivalent about the dialogue. Citizens believed that it was unlikely to produce any concrete gains but acknowledging that it was valuable in temporarily forestalling further violence.

Political and Conflict Developments during the Dialogue

The dialogue commenced on March 2, to the surprise of some observers, who doubted that Berri would be able to convene the fourteen leaders at such a polarized time. The participants quickly reached a non-specific agreement on the investigation into Hariri's assassination. They also made initial progress in deliberations on the disarmament of Palestinians militias, the principle of noninterference of Syria, and the Lebanese identity of the Shebaa farmlands.

After this auspicious start, progress slowed. The participants soon found themselves unable to agree on a replacement for President Lahoud, which would prove to be a sticking point for the remainder of the dialogue. When Druze leader Jumblatt traveled to Washington for a planned visit, tensions rose over the anti-Syria comments he made during the trip and the participation of his replacement Ghazi Aridi in the dialogue during Jumblatt's absence. Amid these tensions, Berri dismissed the dialogue for a brief hiatus until Jumblatt's return to Beirut the following

week. When the dialogue reconvened March 13, the participants reached agreements on disarmament of Palestinian militias, Lebanon-Syria relationships, and the Shebaa farmlands. They then began to discuss the presidency and the disarmament of Hezbollah but were again unable to reach agreement. Berri dismissed the dialogue and asked participants to reconvene on March 22.

Over the following few months, Berri continued to periodically reconvene the dialogue, but he was unable to lead the group to agreement on the issue of the presidency and Hezbollah's weapons. Collegiality among the delegates deteriorated, and the dialogue concluded in July without resolution on the final two issues when hostilities broke out between Lebanon and Israel.

International Involvement

The 2006 Lebanese national dialogue was a marked departure from the peace and dialogue initiatives of the previous twenty-five years in that it was convened and facilitated by a Lebanese politician and included only Lebanese participants. Nonetheless, the main political blocs each had ties to a powerful international sponsor; the March 14th coalition had the support of Saudi Arabia and the United States, and the March 8th coalition had the support of Iran and Syria. This was on full display as Jumblatt's statements in Washington and Berri's visit to Damascus caused tensions within the dialogue.

The international sponsors were particularly opinionated on the agenda item of Lahoud's possible resignation from the presidency. The League of Arab States summit in Sudan in March 2006 included discussion of the Lebanese national dialogue, the Shebaa farmlands, and Lebanon-Syria relations.

Immediate Outcomes

Berri issued a communiqué on March 14 about the agenda item that was decided in the March 2 session of the dialogue ("the question of finding

the truth and its ramifications,” referring to the investigation of the Hariri assassination) and on the agreements that had been reached in the March 14 session. The agreements reached in the March 14 session included “the issue of armed Palestinian groups,” “Lebanese-Syrian diplomatic relations,” and the “demarcation of the Lebanese-Syrian border including the disputed Shebaa farmlands.” The agreements were general and did not provide details on how they would be implemented.

Implementation

As noted, the four items quickly approved at the outset of the dialogue did not provide specific implementation mechanisms. This lack meant that momentum was easily sapped from the implementation process when war erupted with Israel from July through August 2006.

2008–2012 NATIONAL DIALOGUE

The political deadlock gripping the Lebanese political class at the end of the 2006 national dialogue and through the summer 2006 war with Israel persisted into 2007. That year, France convened a meeting in Paris (at La Celle Saint-Cloud) to address this issue, including fourteen Lebanese political parties and two civil society leaders.¹³ The meeting did not lead to specific outcomes but broke the ice between the rivals.

As Lebanon’s executive power is in practice co-managed by both the president of the republic (elected by Parliament) and the appointed prime minister, the expiration of President Lahoud’s extended mandate in November 2007 created a vacuum at the top constitutional institution because Parliament failed to elect a president by the deadline. On May 5, 2008, a meeting of the caretaker cabinet, led by Prime Minister Siniora and lacking Shiite representation, adopted two decrees hostile to Hezbollah that were summarily rejected by the majority of the Shiite community and their Christian allies.¹⁴ Over the days that followed, fighters allied with Hezbollah took over the Sunni area of West Beirut, and on May 10 forced the cabinet to retract

its decrees. Qatar and the League of Arab States brokered a ceasefire on May 15, which was followed by the Lebanese National Dialogue Conference from May 16 to May 21 in Doha.

Establishment and Mandate

After four days of intense discussions, the participants at the Doha conference agreed to elect the commander of the Lebanese Armed Forces, General Michel Sleiman, as president; conduct parliamentary elections based on a revised distribution of electoral districts; form a national unity (coalition) government; and continue the national dialogue about the other contentious issues after the election of Sleiman.¹⁵ The Doha Agreement—blessed unanimously by the UN and the international community—is considered important because it marked a break after four years of political assassinations targeting the Hariri camp, an eighteen-month political crisis, and sectarian tension that included a sit-in in downtown Beirut. The Doha conference thus provided the mandate for the national dialogue conference that Sleiman would convene in 2009. The Doha Agreement stated that the dialogue “is to be resumed under the aegis of the president as soon as he is elected and a national unity government is formed, with the participation of the Arab League in such a way as to boost confidence among the Lebanese.”

Preparatory Phase

Because the national dialogue drew its mandate from the Doha conference, the preparations that President Michel Sleiman and his adviser Nazem Khoury needed to undertake were fewer than those Berri faced in 2006. Although some members of the March 8 coalition pushed for the inclusion of additional participants, the assumption from the outset was that the participant group would largely mirror the 2006 national dialogue in both size and composition. Like Berri, Sleiman did not select the participants himself but instead facilitated consultations among the prospective participants so that they could identify the final group by consensus.



Fans watch as singer Nancy Ajram performs during a festival for Lebanon's newly elected President Michel Sleiman in downtown Beirut on May 28, 2008. (Photo by Jamal Saidi/Reuters)

During the 2008 preparatory phase, Sleiman and Khoury facilitated agreement among the participants that the main agenda item would be “Lebanon’s defense strategy.” The term was a mutually agreeable one that allowed Hezbollah to remain engaged in the dialogue. Hezbollah saw in this agenda item a scope that went beyond just its arms, whereas the Hariri camp insisted that national defense strategy and Hezbollah weapons were two names for one problem. The preparatory team also approached selected international organizations for technical support, including the UN Development Programme (UNDP).

When the dialogue was dismissed in 2009 in anticipation of national elections and then reconvened in 2010, Sleiman and his team spent the weeks leading up to the first 2010 session facilitating agreement among the participants on expanding the group by five to include independent politicians and academics.

Agenda

The first round of dialogues included seven sessions between September 2008 and June 2009. The primary—and most contentious—issue in this and subsequent rounds was Hezbollah’s weapons. At an early session in 2008, the participants also agreed to discuss the implementation of agreements from the 2006 national dialogue.

The 2008 and 2009 sessions and the five sessions convened in 2010 were marked by contention between the participants about what additional topics should be discussed. Hezbollah and its allies, including the Lebanese Democratic Party, argued that the agenda should not be limited to discussions of Lebanon’s defense strategy. They requested additional issues, such as the disputed Shebaa farmlands and disarming Palestinian groups outside refugee camps.

The agenda of the five sessions held in 2012 was Lebanon’s policy vis-à-vis the conflict in Syria. This ultimately was the only topic on which the participants could make concrete progress. They agreed that the policy toward Syria should be “distancing,” or non-involvement.

Meanwhile, former President Amine Gemayel and Minister Jean Oghassabian disagreed, arguing that the dialogues should concentrate on defense strategy. Social and economic issues, they asserted, should be the purview of the government, and other secondary issues could be dealt with at a later stage within the dialogue after the defense strategy was resolved. The 2010 sessions concluded without any concrete progress on the national defense strategy.

Sleiman reconvened the dialogue in 2012 when the Syrian civil war spilled into Lebanon. The agenda of the five sessions held in 2012 was Lebanon’s policy vis-à-vis the conflict in Syria. This ultimately was the only topic on which the participants could make concrete progress. They agreed that the policy toward Syria should be “distancing,” or non-involvement, and they issued a statement known as the Baabda Declaration on June 11, 2012.

Delegates

When the national dialogue first reconvened in 2008 under President Sleiman, the delegate group was nearly identical to the 2006 group. Nabih Berri joined the dialogue as a participant rather than as a facilitator, representing the March 8 coalition. Mohammad Raad replaced Hassan Nasrallah, and former President Amine Gemayel replaced his son Pierre, who participated in the 2006 national dialogue but was assassinated in Beirut in November 2006. Aside from the absence of Pierre Gemayel and Berri’s presence as a delegate rather than facilitator, the group was unchanged, though the main delegates would occasionally send substitutes when they were unavailable to attend.

When the national dialogue reconvened in 2010 after a hiatus that had begun around the 2009 national elections, Sleiman expanded the group to nineteen,

replacing several delegates and naming four independents to the group. The independents included former Prime Minister Najib Mikati, MP Mohammed Safadi (who represented the March 14 bloc in the previous dialogue), Defense Minister Elias Murr, and academic Dr. Fayez Hage-Chahine. Sleiman also, with the consensus of those in the previous round, replaced several participants. Prior member Michel Aoun was part of the dialogue but did not attend in person. Elias Skaff (March 8 bloc), Ghassan Tueni (March 14 bloc), and Michel Murr (independent turned pro-March 14 bloc) did not return. The new group included Deputy Speaker of Parliament Farid Makari, MP Jean Oghassabian, and MP Michel Pharaon representing the March 14 bloc and Sleiman Frangieh, Talal Arslan, and Assaad Hardan representing the March 8 bloc. Overall, the composition of the 2010 dialogue was seven members from the March 8 bloc, seven members from the March 14 bloc, and five independents. By their confessional identities, the participants were four Sunnis, four Maronites, two Shias, three Greek Orthodox, two Catholics, two Druzes, and two Armenian Orthodox. The announcement of the new participants list was not without conflict; the March 14 coalition requested Arab League observation at the talks, but the March 8 coalition opposed this.¹⁶

Structure

Like the 2006 dialogue, all sessions of the 2008–2009, 2010, and 2012 national dialogues occurred in plenary, and all decisions were made by consensus. Several support structures aided the process. The steering committee included experts selected by the president’s office who contributed their expertise on process and substantive issues.¹⁷ Ad hoc technical advisers were convened periodically to work on the details of a particular thematic issue, such as the national defense strategy.

The Common Space Initiative (CSI) is an independent entity created in 2009 as an offshoot of the UNDP program, in response to the early debates about whether to broaden the national dialogue. It initially relieved some of the pressure to expand the agenda by offering a forum in which government leaders and others could debate broader issues beyond the national defense strategy and break the deadlock on some of the points of contention within the formal dialogue. CSI also supported the national dialogue by offering resources and research. The initiative focused its efforts on bringing together representatives of various parties to jointly generate knowledge regarding the discussed theme and then share this knowledge with their respective parties. CSI also provided technical support and advice regarding the process design to the national dialogue steering committee.

Convening and Facilitation

Michel Sleiman convened and facilitated the 2008–2012 national dialogues as president of Lebanon and per the Doha Agreement. As a former army commander-in-chief whose 1998 appointment to the post was heavily influenced by Syria, however, he did not command respect from all participants. Although Berri's formal role in the dialogues was that of a participant rather than a facilitator, he supported Sleiman by playing the role of backup facilitator, particularly in helping break deadlock through side conversations.

The 2012 style of facilitation was somewhat more formal than in the 2008 and 2010 dialogues in that the parties were invited to present their proposals on specific issues, particularly the national defense strategy. The presentations were followed by facilitated Q&A and discussion.

Public Participation Opportunities

No formal public participation mechanisms were included in the national dialogue. Sleiman or his advisers released periodic statements to the media, but these generally offered little detail.

After its creation in 2009, CSI convened dialogues on a broader set of themes with a broader set of actors, including civil society leaders. Although CSI was not a formal public participation channel within the national dialogue, its role in providing support and research to the national dialogue meant that its staff members could feed a broader set of perspectives into the official dialogue in the form of shared knowledge. Based on the desires of the presidential team, the work of CSI was kept low profile and not publicized.

Political and Conflict Developments during the Dialogue

As the STL policies and procedures were put in place in early 2009, Syria and Hezbollah made efforts to resist and sabotage them. This exacerbated tensions between the March 8 and March 14 blocs within the national dialogue, tensions that continued through 2010 and 2011.

The two main blocs each carried out boycotts at different points in the dialogue, with Hezbollah (a key part of the March 8 bloc) protesting attempts to discuss its weaponry and March 14 accusing Hezbollah of making decisions over war and peace unilaterally and outside of state institutions. The March 8 coalition held an additional boycott in 2012 over the March 14 coalition's position regarding the issue of "false witnesses" linked to the UN probe of former Prime Minister Hariri's assassination in 2005.

Violence near the border with Syria as the Syrian civil war spread into Lebanon prompted Sleiman to reconvene the national dialogue in 2012 after a hiatus in 2011. The intensifying Syrian conflict—and the best way for Lebanon to respond—was an urgent topic that displaced the focus on Lebanon's national defense strategy in the 2012 dialogue sessions.

International Involvement

The primary international support for the 2008–2012 Lebanese dialogues—mandated by the Doha Agreement, born with substantial international

involvement, and subsequently run as a national process—was financial and logistical support to the CSI.

Immediate Outcomes

The 2008–2012 dialogues resulted in fewer agreements than the 2006 dialogue but kept alive the channels of communication between the parties. The participants were unable to reach agreement on the main agenda item: Lebanon’s national defense strategy. This was in large part because the March 14 political bloc believed that the most important subtopic within the defense strategy was Hezbollah’s weapons, but Hezbollah and its allies were unwilling to negotiate on the point. The sole agreement from the national dialogue was the Baabda Declaration, issued in June 2012, which reaffirmed in fifteen points the parties’ commitment to dialogue, good governance, and a policy of distancing or non-involvement in regional conflicts. However, just after it was adopted, a controversy arose over the content and interpretation of the declaration, effectively stripping the document of its already weak legitimacy.

Implementation and Implications

Because the 2008–2012 dialogue produced little in the way of formal agreements and failed to address its original objective, the Lebanese defense strategy, no formal implementation efforts followed.

The Baabda Declaration was never implemented. As of 2011, Lebanese Sunni activists and political parties supported the anti-Assad factions in Syria (including by sending fighters and other types of assistance), and Hezbollah engaged directly in the military operations as of the end of 2012 to support Assad and his army.

Some observers believed that the rounds of dialogue held after 2010 were not intended to reach agreement on its main theme (Hezbollah arms) but simply to contain tension at the grassroots level and to convey a message to the international community that the Lebanese political establishment was working on implementing Resolution 1559 through dialogue.



A supporter of opposition presidential candidate and former Prime Minister Macky Sall holds a Senegalese flag during a campaign rally in Dakar, Senegal, on March 23, 2012. (Photo by Rebecca Blackwell/AP)

Senegal's Assises Nationales

By Emily Fornof and Penda Ba

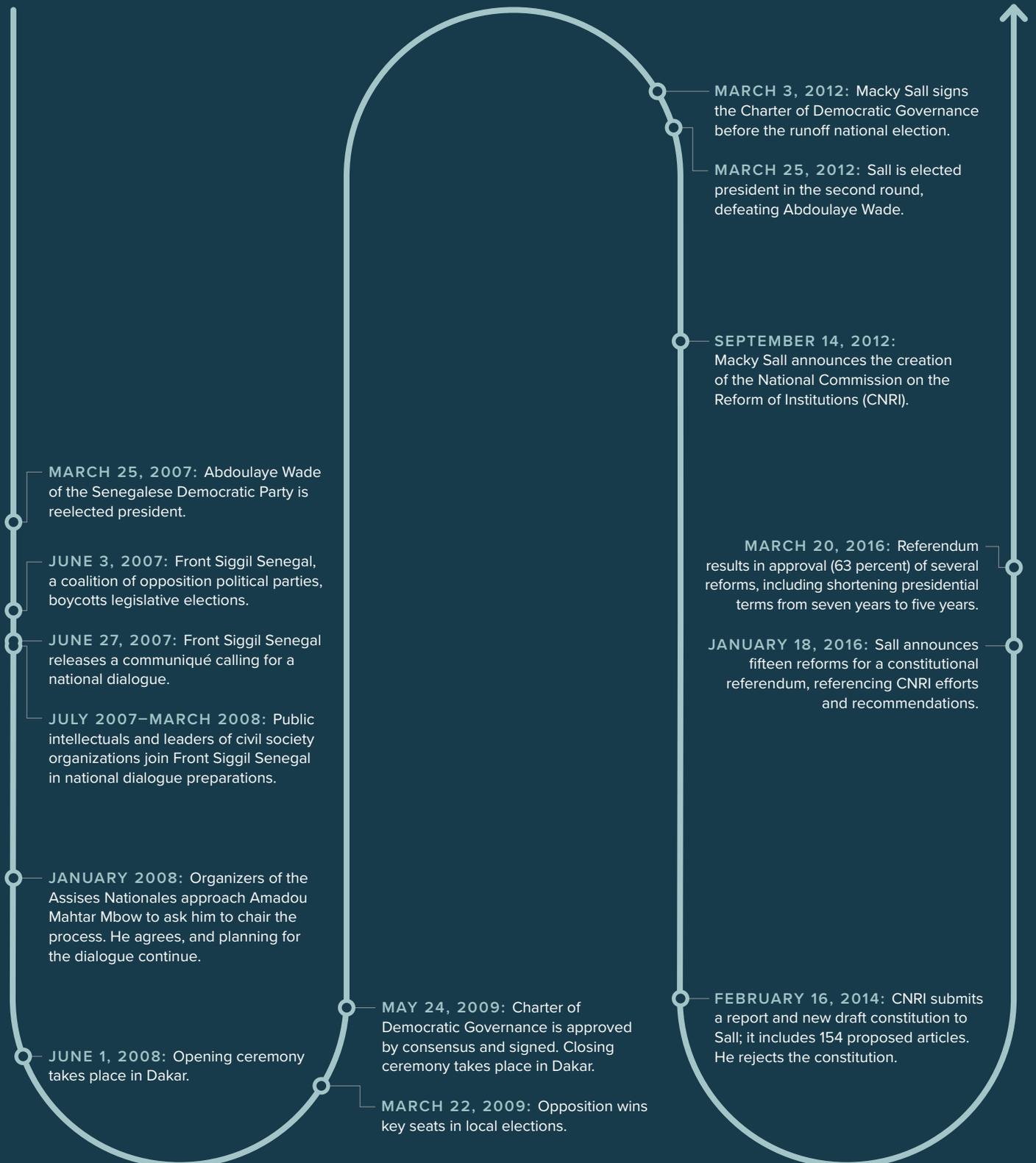
In 2007, a Senegalese political opposition coalition called for a national dialogue to address what it described as a major ethical, moral, political, and economic crisis. Political leaders turned the process over to civil society actors, including trade unions, women's organizations, social movements, and religious communities, which in turn convened the Assises Nationales in 2008. The dialogue addressed the major problems Senegal had been facing since its independence in 1960 and sought consensus on ways to meet those challenges in every sector of Senegalese society. After a year of discussion on both national and local levels, it produced a final report, the Charter of Democratic Governance, declaring that Senegal would reaffirm its commitment to its democratic institutions and work together as a nation

to deal with its problems through inclusive and participatory processes. The process was noteworthy for its inclusiveness: the availability of its documents to citizens not only in Senegal's official language but also in all of its local languages; its broad participation from all parts of the country and the diaspora; and the painstaking efforts to gather input from all of the local and national dialogue sessions to feed into the final recommendations document. Several of its recommendations have been implemented, most notably through a series of constitutional amendments passed by referendum in 2016.

HISTORICAL CONTEXT

In March 2000, Abdoulaye Wade of the Senegalese Democratic Party (PDS) was elected president of Senegal,

Figure 8. Senegal Timeline



Note: Not all events on the timeline are discussed in the text.

ending forty years of Socialist Party rule and marking a transition via elections for the first time since independence in 1960. Wade's election was perceived both internationally and within Senegal as a success for democracy. Wade quickly moved to make several high-profile democratic reforms, including a new constitution. Subsequently adopted by referendum, it shortened the presidential term from seven to five years and established a two-term limit, to begin after Wade's first seven-year term. Some of the changes were controversial, including a provision that allowed Wade to unilaterally dissolve the National Assembly and call a new parliamentary election off-cycle.

The broad enthusiasm for Wade and for the new constitution gradually eroded over his first term as his regime began to clamp down on political opponents. Tactics included deploying security forces to disrupt opposition gatherings, not responding to requests for permits for protests, intimidating journalists critical of the regime, and politically motivated arrests—practices that intensified as the 2007 elections approached.¹ Wade won the election with 55.9 percent of the vote, defeating former Prime Minister Idrissa Seck and eliminating the need for a second-round election. Some opposition leaders publicly questioned the validity of Wade's victory, pointing out that the government had failed to keep its promises to conduct an independent audit of the electoral register and to employ biometric verification in the voter registration process.² Nonetheless, most observers felt that Wade's victory was legitimate in that he did have significant public support at the time.

Although legislative elections were scheduled to take place before the presidential election, Wade postponed them twice, which allowed his PDS party to gather strength and momentum against its major challenger, Idrissa Seck's Remwi party. To protest irregularities in the electoral process, seventeen political parties making up the opposition coalition Front Siggil Senegal (FSS) boycotted the legislative elections, allowing Wade's PDS to win 131 of the 150 seats in the National Assembly. Opposition leaders were cognizant that their

decision to boycott the legislative elections meant that they were effectively locked out of national politics, which increased the urgency of holding a participatory national-level process.

ESTABLISHMENT AND MANDATE

In this tense political climate, FSS leaders released a communiqué on June 27, 2007, announcing that Senegal was facing a major ethical, moral, political, and economic crisis. To address these issues, they proposed holding a nationwide dialogue. Leaders of the coalition realized the dialogue would be perceived as partisan if it included only opposition political parties; in order to be successful, they would have to involve other groups. With this in mind, they organized themselves into two bodies, a council of leaders and a council of counselors, which conducted outreach to civil society leaders from July 2007 to March 2008. Most notable among these civil society groups were the trade union, UNACOIS; the agriculture union, CNCR; the employers union, CNES; Forum Civil, the Senegalese chapter of Transparency International; and Mouvement Citoyen, a grassroots organization dedicated to promoting good governance.

Although the leaders of these groups agreed with FSS concerns about the political climate and proposed solution of a national dialogue, they believed that the objectives of the group were too political. They agreed that the issues affecting Senegal went far beyond Wade's presidency, and consequently proposed that the dialogue serve as a forum in which to discuss the major problems Senegal had been facing since independence in 1960 and to propose ways to address those challenges. The civil society organizations (CSOs) informed FSS that civil society would agree to participate if the dialogue's scope could be expanded and if politicians allowed civil society to run the dialogue. FSS leaders agreed, and preparation for the Assises Nationales (AN) began.

PREPARATORY PHASE

Senegalese CSOs shared the idea of a national dialogue with their partners and allies and invited them to

participate. Within six months, more than one hundred institutions had agreed to participate, including representatives of political parties, nongovernmental organizations, citizen movements, religious organizations, unions, academics, and retired military.

As the need for more formal structures became apparent, the informal coalition that had been organizing the Assises Nationales formed what they called the ad hoc committee, which served as a preparatory design committee. It met at least twice a month with representatives from the organizations that had committed to participating. Working alongside two Senegalese methodological experts, the committee's purpose was to define the overall objectives of the AN, including which sectors would be represented, financing, a strategy for the inclusion of Senegalese from around the country and the world, and a plan to analyze and make decisions on the issues identified. The committee worked by consensus to create an informal "terms of reference," describing the rules, structure, and organization of the process, which continued to evolve throughout the design phase. The organizers also determined that the purpose of the AN would be to reach consensus on efficient, sustainable solutions to the serious multidimensional crisis (ethical, political, economic, social, and cultural) Senegal was facing.³

After the design phase, the ad hoc committee concluded that it would need to appoint a leader, someone who would be acceptable to all stakeholders and would not be biased toward any parties or particular sectors of the economy. After significant reflection, the committee agreed to approach the former director general of UNESCO (UN Educational, Scientific and Cultural Organization) Amadou Mahtar Mbow, a respected Senegalese citizen with no future political ambitions or ties to a specific sector, to request that he chair the Assises. Mbow accepted.

Mbow undertook his own consultations as he prepared to launch the dialogue. He first visited President Wade and asked him to participate, though Wade and the majority of

PDS leaders ultimately declined because they perceived the exercise as partisan. Mbow also consulted with the country's major religious leaders to secure their buy-in, which was crucial to broader public legitimacy.⁴

On June 1, 2008, nearly a year after the FSS communiqué outlining the need for a national dialogue was released, the preparatory phase concluded and the dialogue began. The ad hoc committee that prepared for the dialogue did not formally continue, but instead transitioned into two separate bodies: the Executive Bureau, which included Mbow and other senior leadership, and the National Steering Committee (Comité National de Pilotage).

AGENDA

The Assises Nationales did not have a formal, predetermined agenda. Rather, the informal, consensus-based terms of reference created by the ad hoc committee outlined the process itself, the justification for the AN, as well as a general objective "to reach consensus on a solution that is global, efficient and sustainable to the serious multidimensional crisis (ethical, political, economic, social and cultural) that is plaguing the country," and related specific objectives. The informal terms of reference also included a comprehensive list of the themes to be discussed during the AN, while noting that this list did not necessarily correspond to the final list of thematic committees.

The major themes listed in the terms of reference include political governance; economic and financial governance; social governance; rural life and the primary sector; education and training; health; culture; youth, employment, and insertion in the labor force; gender and the promotion of women; the situation of older people; migration; ecological challenges; questions related to sports; and issues related to ethics, behaviors, and values.

The organizers decided that security did not need its own thematic committee, given that security-related issues were not contributing directly to Senegal's crisis and could be discussed in relation to other themes, such as the separatist conflict in Casamance or public policy.

DELEGATES

Participation in the Assises Nationales was open and informal. The preparatory phase included outreach that brought together more than one hundred organizations. Participation was not limited to these organizations, however: any and all interested Senegalese citizens were invited to participate. This open model differs markedly from that of most other national dialogues, in which the organizers typically debate and establish a designated number of delegates for each stakeholder group before the beginning of the dialogue. The Senegalese Assises, by contrast, aimed to launch a discussion incorporating all Senegalese voices to create a shared national narrative and vision for the country.

The schedule of sessions was publicized by the communication committee via radio, television, and word of mouth to communicate as widely as possible to Senegalese citizens that they were invited to join any sessions that interested them. Attendance was open; any Senegalese citizen could attend a thematic committee meeting, and preregistration was not required. Ultimately, though, few nonspecialists attended thematic committee meetings because the discussions tended to be highly technical.

Women participated in the departmental deliberations and the local consultations in significant numbers, but were less represented in the national-level forum, perhaps because of their lower representation in senior levels of civil society and political parties. Additionally, Wade had previously made significant reforms concerning women; as a result, one of the most important women's associations, the Women's Council of Senegal (Conseil Sénégalais des Femmes), decided not to participate. Although relatively few women took part in the national-level thematic committees, one of the four vice presidents was a woman, which enabled women's input at higher levels.

STRUCTURE

The Assises Nationales were organized into thematic, cross-cutting, special, and geographic committees, with a president (Mbow), four vice presidents, and a general

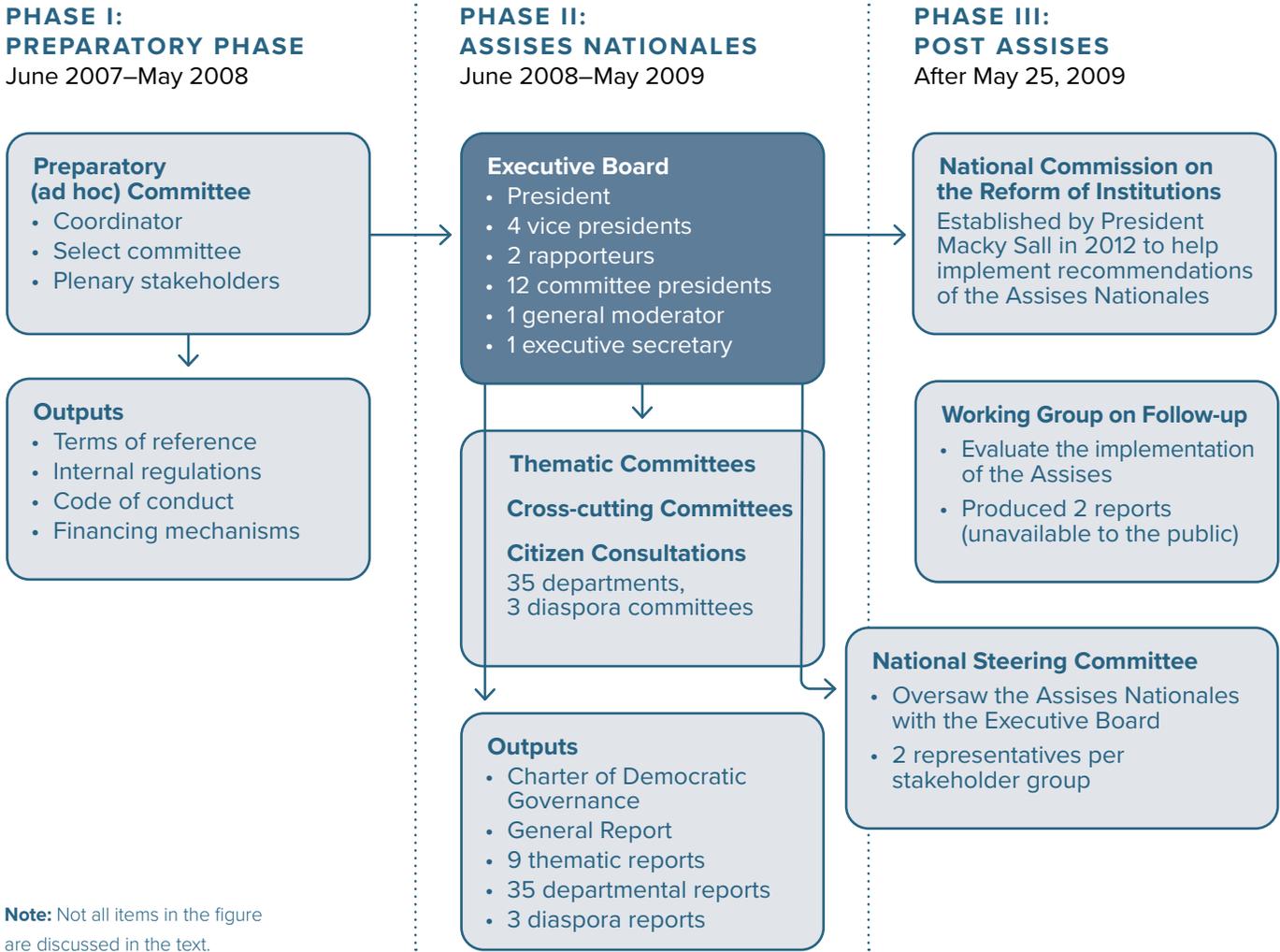
assembly of all stakeholders. Later in the process, an executive secretary, Ndella Ndiaye, was added to manage the logistics and to assist Mbow. The Assises had eight thematic committees: (1) Institutions, Freedom and Citizenship; (2) Fiscal Directions, Economic Policy and Business Environment; (3) Rural World and Primary Sector; (4) Economic and Social Rights and Human Resource Development (Education, Health, Culture, Sports); (5) Societal Issues: Values, Ethics and Solidarity; (6) Land Use Planning, Environment and Sustainable Development; (7) Foreign Policy, African Integration and Migration; and (8) Scientific Research and New Information and Communication Technologies.

Each thematic committee was responsible for analyzing the trajectory of its issues since independence in 1960 and making recommendations based on this analysis. Each committee had a president, a vice president, and a rapporteur, all chosen by committee consensus. Politicians were barred from committee leadership to ensure the process remained nonpartisan. The committees invited up to twenty technical experts to inform and guide the discussions and write short papers on the outcomes of committee deliberations. All experts were also appointed by consensus and periodically rotated out to make way for new experts.

The cross-cutting committees included the scientific committee, which was made up of academics and other experts who helped the thematic committees develop roadmaps and focus their discussions; the organizational committee, which managed logistics and finances with the executive secretary; and the communication committee, which disseminated the schedule of sessions to the public and reinforced that the AN's overall objectives were apolitical. The scientific committee also compiled the final inputs from the thematic committees and the departmental committees into the final document.

A special committee was created to address the conflict in the Casamance region, a low-level secession conflict that began in 1982 and is known as the longest

Figure 9. Senegal Structure and Outputs



continual conflict in Africa. The committee sought to hold a serious discussion on the drivers of the conflict and options for peace in the region. All parties to the conflict, including the rebels and representatives from the north, were invited to attend.

Within the committees, decisions were made by consensus. At several points, particularly thorny issues, such as the role of religion in the Senegalese state, were sent to smaller, specially created subcommittees for further deliberation. At times, committee members agreed to accept an opposing view without agreeing with it. This distinction allowed the thematic committees to overcome roadblocks and continue to

progress on substantive issues, even when the committee members had divergent views.

The Executive Bureau and the National Steering Committee coordinated the process. The Executive Bureau included the president, four vice presidents, two rapporteurs, twelve commission presidents, a general moderator, and an executive secretary. The National Steering Committee included one representative and one alternate from each of the participating organizations.

All committees at both the national and departmental levels were required to write a report on their findings. The compiled report ran more than five thousand pages.

To distill all the information into a usable document, the National Steering Committee held an *atelier de production*, or writing workshop. Anyone who wanted to participate was welcome to join for a four-day, intensive retreat, led by Moussa Mbaye, an expert in deliberative democracy. Nearly three hundred people gathered to read the documents and summarize the context, identify common difficulties across the country and common positive responses, and compile this information into a report, which they called the Charter of Democratic Governance.⁵

CONVENING AND FACILITATION

The deliberations within each of the thematic committees were facilitated by the committee presidents, who were selected by consensus within each committee. Regular plenary sessions throughout the process were facilitated by the plenary chair, Amadou Mahtar Mbow (who was also serving as AN president).

The vice presidents and heads of committees were also selected by consensus, based on their expertise, networks, and national respectability. During the design phase, anyone could put forward the name of a potential candidate, who was then discussed at length by the committee. Once the committee reached a consensus, they sent a delegation to formally ask the candidate to serve. The ad hoc committee intended for the nomination process to serve as a signal that the entire Assises would be transparent and consensus based.

PUBLIC PARTICIPATION OPPORTUNITIES

To ensure that the voices of all Senegalese were represented in the AN, the National Steering Committee created departmental steering committees (CPDs) in each of the then thirty-five departments of Senegal, Dakar, and the three major diaspora communities (Canada, France and Europe, and the United States).

The departmental committees' organizational structure was flexible but generally mirrored that of the AN—a president, vice president, and rapporteur, as well as the same thematic and cross-cutting committees. Facilitators

from the national scientific committee attended initial departmental meetings to convey the informal terms of reference that described the structure and organization of the process, but then encouraged the departments to modify the discussions and format to ensure that the deliberations would be relevant to the local communities.

The departmental committees organized open discussions, called Consultations Citoyennes (Citizens' Consultations), within local communities. The methodology included asking participants to reflect on Senegal's past growth and change, the main problems they were facing at the time, and how citizens could contribute to the resolution of these problems. They chose the themes most relevant to their communities and applied the same methodology to those themes. The CPDs compiled documentation from the Citizens' Consultations, which was then fed up to the national level for inclusion in the final documents.

POLITICAL AND CONFLICT DEVELOPMENTS DURING THE DIALOGUE

President Wade officially boycotted the Assises on behalf of his party, the PDS, and actively threatened party members who were planning to participate with repercussions for their careers. Consequently, most prospective participants from the senior ranks of the PDS backed out before the Assises began. As the process progressed, some PDS members participated, not in their official roles but as private citizens. Wade also threatened to expel any diplomatic representatives who were found to be actively supporting the Assises, although this ultimately was not an issue because the process remained entirely in the hands of the Senegalese, despite offers of support from some foreign governments and organizations.

Wade's extreme stance against the AN was rooted in its origins in a political crisis between the PDS and the opposition. Although the organizers endeavored to shield the AN from linkages to political processes, Wade continued to perceive the process as biased against his government. His position was likely not

softened by the looming local elections, which led to increasing politicization of the process, despite the organizers' stated intent.

In late 2008, during the Assises, Wade pushed a controversial amendment through the National Assembly to lengthen the presidential term from five years to seven years, effectively reversing the five-year term created by the new constitution shortly after he had come to office. The seven-year term was to take effect with the president who was elected in 2012 in the next presidential election. Many Senegalese disapproved of this change, and the call to restore a five-year term became part of the Charter for Democratic Governance, which was read at the conclusion of the Assises. International pushback and engagement around this amendment was also intense.

During the Assises, a new political coalition of more than thirty parties was born, Bennoo Siggil Senegaal, which began preparing enthusiastically for the March 2009 local elections. At this point, the Assises were well underway, and the campaign season somewhat slowed the momentum of the process. Bennoo Siggil Senegaal was highly successful in the local elections, particularly in urban areas.

INTERNATIONAL INVOLVEMENT

The members of the National Steering Committee decided from their earliest conversations that the AN would not accept funding from outside Senegal. This decision was critical to the AN's success; members of the committee felt that the Senegalese should be able to finance their own discussion of solutions to Senegal's problems. Prohibiting international contributions to the AN was rendered all the more important by President Wade's strong opposition because international involvement would have given him grounds to discredit the AN by claiming that it was driven by the international community. Ten embassies sent representatives to the opening ceremony in June, but they acted as observers rather than as participants, conveners, or guarantors.

Significant donations came from members of the diaspora, particularly in France, which had a substantial impact on the Assises. They enthusiastically participated in the process and had frequent meetings, even in the preparatory phase. When the process in Senegal began to lose momentum after the six-month mark as local elections approached, the diaspora was able to reinvigorate it and help the process adhere to the year-long timeline. Because Senegal benefits greatly from remittances, the diaspora had leverage to ensure that the dialogue moved forward.

Individual Senegalese citizens, from wealthy elites to subsistence farmers, contributed approximately 40 percent of the overall budget. Anecdotes about the Assises often include stories of impoverished people donating to the process because they believed that it could help in dealing with the crisis.

Additional funds came from stakeholder financing. Each participating organization was asked to pay a certain percentage based on its size and budget each month; the organizational committee, which managed the finances, kept these amounts confidential to ensure that every stakeholder had an equal voice. The rationale behind this was to ensure stakeholder buy-in. Stakeholders and other organizations that might not have the time to participate but nonetheless wanted to be a part of the process could make additional contributions, whether financial or in-kind (such as the donation of space for a headquarters).

Even though most of the details of the financing remain confidential, the process was widely perceived to be free of corruption.

After the close of the dialogue, the AN accepted a grant from Open Society Initiative West Africa to support executive secretary Ndella Ndiaye's project to compile the larger final report in a variety of formats in all of Senegal's languages and organize dissemination events around the country.

IMMEDIATE OUTCOMES

The Charter of Democratic Governance was approved by consensus at the final plenary session; those who signed the charter conferred further legitimacy to the document and consolidated their power behind the recommendations. The Citizen Consultations around the Assises had revealed that the Senegalese people believed their political elites had willingly relinquished much of their autonomy and decision-making to international organizations such as the International Monetary Fund and the World Bank, and that many of their problems stemmed from their lack of control over and responsibility for their own challenges and future.

The charter stated that the initiative was the patrimony of the Senegalese citizenry, and that, alongside a follow-up committee, citizens at all levels of society would be ultimately responsible for respecting the principles and values outlined in the document.⁶ Every stakeholder agreed to sign the charter because it had been created by consensus, the committees agreeing to recommend specific solutions based on their merits.

The charter also provided sector-specific recommendations with an emphasis on ethical issues. The document proposed focusing first on economic problems and then making political reforms, including barring the president from being head of his party, rebalancing the three branches of government to make the judiciary more independent, and creating new institutions to fight corruption.

After the official signing of the charter and the closing ceremony on May 24, 2009, the scientific committee and the executive secretary began finalizing the larger report and worked to organize the dissemination of the charter in various languages in each of Senegal's departments over the next few years.⁷

Overall perceptions of the Assises Nationales were positive, and most stakeholders felt the process marked an important moment in Senegalese history. For some, the AN was a deep, nonpartisan reflection on Senegal's

history and priorities for the future, designed in such a way that regular people, not just elites, had meaningful input. For many citizens, the Assises were the first time they had engaged with their government through a deliberative process. On the other hand, some Senegalese believed that the process was, at its core, a forum for politicians to position themselves and reach agreements with one another. This skepticism was largely rooted in the fact that the dialogue had arisen from initial organizing action by the opposition alliance Front Siggil Senegal.⁸

Buoyed by their success in the March 2009 local elections and by civic pride in the inclusive nature of the AN, several opposition politicians made their adherence to the charter the center of their campaigns for the presidency in 2012. This was encouraged by AN participants, who were enthusiastic about collectively supporting candidates campaigning on the results of the process.

IMPLEMENTATION AND LONGER-TERM IMPLICATIONS

Between the local elections in 2009 and 2012, the final report from the Assises Nationales was finished, but it received little attention because of significant political infighting within the opposition. The winner of the 2012 presidential election was Macky Sall, a former president of the National Assembly who had defected from Wade's party in 2008, formed his own political party in 2009, and joined the Bennoo Siggil Senegaal coalition that was formed during the Assises. Although Sall only formally signed the AN document between the first and second rounds of the presidential race, he campaigned on his commitment to implement the recommendations, which bolstered his popularity at a time when Senegalese were paying close attention to the Assises. A monitoring committee (Groupe de Travail et de Suivi) was established after the Assises concluded, but it was not especially active, issuing only two reports over several years.

Shortly after his election in 2012, Sall established the National Commission on the Reform of Institutions (CNRI) to help implement the AN recommendations.

Some Senegalese thought this was a stall tactic given that the Assises had already made clear recommendations. Both Mbow and his executive secretary led the CNRI and undertook an even deeper examination of institutional reform than had been proposed during the Assises. They initially presented a report, but then also presented a new draft constitution to Sall in 2014 that was more inclusive and accessible than the previous version. Sall rejected it, claiming that he had not asked the CNRI to draft a new constitution and that doing so was outside of the group's purview.⁹

Sall is not alone in his lack of follow-through; most of the political leaders who signed and supported the Assises have not implemented the recommendations, which call for a significant devolution of power to the local level. Everyone who did sign agreed to implement it within their respective institutions; thus, the extent to which it is successful also depends on unions, businesses, nongovernmental organizations, and individuals. No monitoring plan or enforcement mechanisms were set up for the nongovernmental recommendations.

One notable success of the Assises is that it led to significant progress toward peace in the thirty-year conflict in Casamance. Rebel commanders agreed to come to Casamance's capital, Ziguinchor, for the first time in decades, because they had respect for Mbow and Mansour Cama, one of the vice presidents of the Assises, who had attempted to mediate the conflict in the 1980s. During committee meetings, people from Casamance discussed why they had continued fighting for so long. The two sides thus came to the realization that they had very different narratives around the conflict.

The Casamance delegation requested a better connection with the north, and the government has made significant efforts to that end. Casamance has seen substantial economic investment, improved transportation in and out of the region (daily flights and ferries), and better provision of educational and health

services. Following his election in 2012, Sall announced that his administration would prioritize bringing peace to Casamance. Although the changes brought about through Sall's efforts and as a result of the AN represent concrete progress, the conflict is ongoing. Rebel leader Salif Sadio declared a unilateral ceasefire in 2014, but the Casamance rebel groups are splintered, and a unified peace deal remains elusive.

In March 2016, four years after being elected to office, Sall held a referendum to reduce the presidential term from seven years to five, and to create and empower the position of official leader of the opposition. The referendum included thirteen other reforms to "modernize the political regime, reinforce good governance and consolidate rule of law."¹⁰ Earlier, Senegal's Constitutional Court had rejected the possibility of reducing Sall's current term, insisting that he remain in office until 2019 as mandated at the time of his election in 2012. The referendum passed with 38 percent of the electorate participating and 63 percent voting yes, but it was highly politicized in that the opposition (primarily from Wade's PDS) encouraged a no vote to express disapproval of Sall's presidency.

Although the referendum reflects some of the charter's recommendations, including a reduction of the length of the president's term, Sall has been criticized for taking so long to move forward on this issue.

Surveyed nearly nine years after the conclusion of the Assises, Senegalese were circumspect about its impact. Those surveyed for this research did not all remember the Assises Nationales by name, but, when reminded of the process, many said that it had been a positive experience for the country. People generally felt that little has changed, however, and expressed disappointment in Sall for endorsing the Charter for Democratic Governance but failing to promptly implement it once he was elected.¹¹



Protesters demonstrate in Tunis, Tunisia, on July 26, 2013, following the assassination of National Constituent Assembly member Mohammed Brahmi. (Photo by Gianni Cipriano/New York Times)

Tunisia’s Dialogue National

By Daniel Brumberg

In the spring of 2013, Tunisia’s democratic transition threatened to unravel, with the Islamist-led government and the secular opposition unable to agree on a new constitution and deeply suspicious of each other. In the summer, the assassination of a prominent liberal member of the National Constituent Assembly (NCA)—the second in twelve months—precipitated a major crisis. Liberal and leftist groups called for the NCA, deadlocked over the role of Islam in politics, to be dissolved. At this point, four civil society organizations (the Quartet)—the most powerful of which was the Tunisian General Labor Union (UGTT)—invited all sides to participate in its Dialogue National and find common ground. In September, most parties accepted and signed a roadmap that identified key goals and a timeline. From

October through January, intensive talks yielded significant breakthroughs that led to the ratification of the first post-revolution constitution, the resignation of the Troika government and its replacement by a “technocratic” cabinet, and parliamentary and presidential elections scheduled for later in 2014. Antagonism gave way to cooperation for several reasons, including the readiness of key national leaders to suspend or even put aside partisan interests at crucial moments, prodding from regional and international actors, and the UGTT’s ability to press for compromises both behind the scenes and by bringing its six hundred thousand–strong membership to the streets to protest. The UGTT’s double role—as both mediator and protagonist—was crucial. By enhancing the bargaining leverage of secular groups while serving

Figure 10. Tunisia Timeline



Note: Not all events on the timeline are discussed in the text.

as the ultimate arbiter between those groups and their Islamists rivals, the UGTT and its partners helped break a dangerous stalemate. For this remarkable achievement, the Quartet was awarded the 2015 Nobel Peace Prize.

HISTORICAL CONTEXT

Spontaneous popular protests that began in Sidi Bouzid with the self-immolation of street vendor Mohamed Bouazizi in December 2010 quickly swelled into street demonstrations across the country, becoming known as the Jasmine Revolution. In mid-January 2011, President Zine el-Abidine Ben Ali, who had ruled Tunisia for twenty-three years, fled to Saudi Arabia. The uprising was driven by a number of factors, including anger at corruption and high unemployment and a desire for greater political freedom, but the protesters had few common objectives beyond the removal of the president. Amid the turmoil, civil society activists from the urban middle class, who had operated largely underground during Ben Ali's rule, quickly seized the mantle of political leadership. Civil society groups that had existed under the regime also came to the fore, most notably the Tunisian General Labor Union, which had a base of some six hundred thousand. During the first six months of the revolution, these secular forces dominated the political field.

The October 2011 elections for a new body, the National Constituent Assembly, radically reshaped the domestic balance of power. The Islamist-oriented Ennahda party, which had suffered repression under Ben Ali's regime, won 37 percent of the vote and eighty-nine seats in the 217-member assembly. Together with the nationalist-oriented Congress for the Republic (CPR) and the left-of-center Ettakol, Ennahda formed a coalition government known as the Troika. Ennahda controlled the premiership, and the NCA elected populist opposition leader Moncef Marzouki to the presidency. That the NCA mandate was vaguely defined fed the fears of secular groups that Ennahda would manipulate the assembly to pass new laws, appoint ministers, and dominate the writing of a new constitution in ways that would give Islamists a permanent advantage.

Dialogue and negotiation among rival elites have a history in Tunisia that dates back several decades. Indeed, in 2005 several opposition groups, including Ennahda, issued a joint platform known as the 18th of October Collective. In June 2012, fearful of Islamist domination, the UGTT and its allies formed the National Dialogue Council to coordinate their efforts; although Islamists were not explicitly excluded, Ennahda leaders saw the dialogue as a partisan political maneuver and refused to join. When, in September 2012, President Marzouki launched the Roundtable Initiative, intended to be a dialogue between all of Tunisia's political forces, the UGTT perceived it as an attempt to undermine the union's influence, and the president's first bid to promote a national dialogue went nowhere.

These and subsequent dialogue attempts unfolded against a background of escalating violence orchestrated by Islamist radicals, many of whose cadres were learning how to fight as jihadists in Iraq and Syria. Fears were heightened by an attack on UGTT headquarters in December 2012 and by several new appointments of Islamists in the Interior Ministry and police. At the same time, some Ennahda members were trying to shape specific laws and the wording of key articles in a new constitution. The release in August 2012 of a first draft constitution that threatened women's rights, after decades of legislation had sought to ensure them, reinforced such concerns. Proposals for inserting Islamic law into the constitution only heightened secular fears, as did a draft law that would have disqualified many leaders of the previous ruling party from running for Parliament.

Fears of Islamist violence seemed to be confirmed by the assassination of leftist intellectual and politician Chokri Belaid on February 6, 2013. The next day, the UGTT organized and led a national general strike in protest. In a country that had until recently seen little political violence, the killing sent shock waves across Tunisian society. It also had the unintended effect of moving the key political actors closer to a more inclusive and sustained national dialogue. Ennahda was

now under unprecedented pressure to demonstrate compromise or be blamed for Islamist violence. Prime Minister Hamid Jebali's resignation and replacement by veteran Ennahda leader Ali Laarayedh showed the effects of such pressures, as did Ennahda's decision to join three successive dialogues.

Although the Quartet-led Dialogue National, for which the four convening organizations were subsequently awarded the Nobel Prize, was the predominant venue for brokering political compromise in the second half of 2013, it was by no means the only one. Indeed, instead of talking about Tunisia's (singular) national dialogue, one might more accurately refer to the country's (plural) national dialogues. Political consensus was a collective national enterprise in which multiple dialogues crisscrossed with informal elite consultations and discussions.

The importance of other dialogues and arenas was perhaps clearest in negotiations over the wording of a new constitution. When talks in the NCA and its constitution-drafting committees stalled in April 2013, President Marzouki organized the first of these dialogues, the Dialogue at Carthage (also known as the Dar Dhiafa dialogue for its location in that suburb). Although the UGTT boycotted the renewed bid to make the office of the presidency a leading venue of elite negotiations, the call produced some progress on a range of issues, including the constitution. In particular, the dialogue addressed issues in the draft constitution, such as the absence of any reference to freedom of conscience, the contentious issue of the role of Islam, and the touchy question of parliamentary versus presidential government.

However, when a new draft of the constitution was made public on June 1, it sparked intense criticism from liberal and leftists, and in July NCA President Mustapha Ben Jaafar announced the creation of an ad hoc Constitutional Consensus Commission (CCC). Formed over a week of intense negotiations regarding its membership, the CCC addressed the most contentious issues and by July 24 had come up with recommendations for compromises.

In the meantime, seeking to capitalize on this progress and demonstrate its capacity to hold a more inclusive negotiation, the UGTT initiated the first true Dialogue National on May 16. For the first time in post-Ben Ali Tunisia, key leaders from both the secular and Islamist camps assembled on Tunisian soil to hold a formal dialogue. Fifty political parties, the leaders of the Troika, and some thirty civil society organizations participated in the dialogue, which featured televised discussions of many issues, including the third draft of the constitution, which had been released in late April 2013.

But rather than generate specific ideas for resolving conflicts on the constitution, this Dialogue National highlighted the deep distrust within the political class. It is true that Ennahda president Rachid Ghannouchi had good relations with UGTT leader Houcine Abassi, as Ghannouchi emphasized in an interview. But the UGTT—and Abassi in particular—straddled a hazy line between acting as an advocate for a mass base that distrusted Islamists and acting as a third-party mediator that would rise above a national political fray of which it was an essential part. Ghannouchi and other Ennahda leaders were concerned that despite Ghannouchi's cooperation with Abassi, other UGTT leaders were prepared to tolerate or even foster grassroots mobilization against the government, including strikes. Moreover, Ghannouchi was straddling his own line between, on the one hand, trying to staunch a loss of public support by displaying a readiness to participate in dialogue and, on the other hand, maintaining the support Ennahda hard-liners who were suspicious of the UGTT.

The UGTT-convened Dialogue National dragged on without achieving any clear breakthrough, but its debates were substantive, covering elections, the constitutional process, the selection of a political system, political violence, and economic issues.¹ Although Ghannouchi did briefly withdraw from the dialogue over tensions with Ziad Lakhedhar of the leftist alliance Popular Front, he ultimately rejoined.² The dialogue's public efforts were buttressed by the quiet

The parallels . . . were not lost on Tunisia’s politicians or public. Even though the Tunisian military maintained its long-standing nonpolitical status, concern within Islamist circles was acute that security forces might follow the example of their Egyptian counterparts and launch a coup.

deliberations of the NCA’s CCC, which by July 2013 had agreed on several outstanding issues.

On July 3, a military-led coup in Egypt had forced the resignation of Islamist President Mohammed Morsi, whose opponents saw him as presiding over a shift toward a radical Islamic state. The parallels between the two countries were not lost on Tunisia’s politicians or public. Even though the Tunisian military maintained its long-standing nonpolitical status, concern within Islamist circles was acute that security forces might follow the example of their Egyptian counterparts and launch a coup. In their public remarks—and throughout the course of the Dialogue National—Ennahda leaders refused to discuss the situation in Egypt, but the dark shadow of events in that country concentrated the attention of all Tunisian leaders on the need to find common ground.

Just three weeks later, another assassination transformed the dialogue process. On July 25, a prominent liberal member of the NCA, Mohamed Brahmi, was gunned down in his home. His killing prompted the resignation of sixty NCA members, who then staged a sit-in in front of the Bardo National Museum. Inspired by the popular protests that had just helped topple Egypt’s President Mohammed Morsi, the protesters demanded that the government resign.³ This demand was supported by a variety of political actors, including figures from the previous regime who had been excluded from the NCA and who joined leftist leaders in demanding its permanent dissolution. Had this demand been carried out, it would have derailed the transition that was under way and created a political vacuum with a potentially destabilizing impact.

ESTABLISHMENT AND MANDATE

On July 29, four days after Brahmi’s assassination, the UGTT called for and offered to mediate renewed

negotiations between the government and the opposition. The UGTT, however, was not a neutral, disinterested actor. It had long advocated, implicitly or otherwise, a political solution that responded to the concerns of secular-oriented groups, and on several occasions had brought its members into the streets to protest against a perceived slide toward Islamic radicalism. It was thus no surprise that a week after Brahmi’s killing, the UGTT’s executive board voted in favor of its members participating in street demonstrations. With a membership of approximately six hundred thousand—more than 4 percent of the population—and influence extending beyond its member base, UGTT was a powerful actor, positioned to disrupt the country by calling for mass protests.

The UGTT’s readiness to act as a mediator and its secularist sympathies were shared by two other civil society organizations with which the UGTT was increasingly cooperating: the National Order of Tunisian Advocates (Tunisia’s National Bar Association, known by its French acronym, ONAT) and the Tunisian League for Human Rights (LTDH). These three organizations were joined in early fall by the Tunisian Union of Industry, Trade, and Artisans (UTICA), thus creating what came to be known as the Quartet.

The Quartet began negotiating with the major political parties over their participation in a second, more inclusive Dialogue National. In his twin capacity as de facto chair of the Quartet and secretary general of the UGTT, Houcine Abassi organized separate meetings at the UGTT’s national headquarters with the Troika government and the Front du Salut National, which had been formed in the wake of Brahmi’s assassination by Beji Caid Essebsi’s secularist and center-right Nidaa Tounes party, the leftist al-Massar party, and the Popular Front. Additional informal consultations in the headquarters of the LTDH and the ONAT followed, as did informal discussions in other venues.

The secular opposition camp was insisting that the NCA be suspended and that the Troika government be replaced by a technocratic cabinet of nonpolitical experts. It also demanded a rapid sequencing of steps to advance the democratic transition, including finalizing the constitution and establishing the timing of parliamentary and presidential elections and the formation a new democratic government. In addition, radical leftists associated with the Popular Front—as well as Nidaa Tounes leaders—continued to demand that the NCA be permanently dissolved before the creation of a new government and the completion of a new constitution.

Ennahda was uncomfortably aware of the fate of Egypt's Freedom and Justice Party, which had been toppled weeks before. Seeking to deflect such an outcome and to demonstrate its readiness to compromise, Ennahda was the first party to call for a renewal of dialogue.⁴ At the same time, its leaders tried to placate both the radical and moderate wings of the party by setting red lines, some firm and others more ambiguous. As part of this strategy, Ghannouchi categorically rejected demands to dissolve the NCA, and Prime Minister Ali Laarayedh resisted resigning but did not directly rule it out. Clearly, room for a bargain remained; the question was how to get there.

PREPARATORY PHASE

The path toward a renewed dialogue gathered momentum when Ghannouchi and Essebsi met in Paris on August 15, 2013. In substantive terms, the meeting opened the door to the ensuing bid to restart the Dialogue National itself. Many elements of the roadmap that would be negotiated in September took shape at the Paris meeting, including the idea of forming a technocratic government. As Ghannouchi noted in an interview, it was at this meeting that the two men agreed on a strategy to isolate the radical leftist parties that had demanded the dissolution of the NCA. Underscoring their coordination were common economic interests: both men advocated a strong role for Tunisia's private sector. The Paris meeting was a

turning point in the dialogue process for the two men who had long espoused what seemed to be mutually opposed ideologies. This shift was also significant because Ghannouchi had experienced two stints in prison when Essebsi was foreign minister under Ben Ali, and hard-liners on both sides were urging their leaders to shun compromise.

In the Quartet's quest to bring the dialogue to fruition, Abassi and Wided Bouchamouai, director of UTICA, pursued simultaneous negotiations with both sides.⁵ They pressed Ennahda to endorse the creation of a new, nonpolitical cabinet; at the same time, they pushed Nidaa Tounes and Popular Front leaders to drop their demand that the NCA be dissolved and to instruct the sixty members who had resigned to rejoin the assembly.

At the initiative of UTICA, the Quartet produced a roadmap, the ambitious agenda of which was to be completed in just four weeks. Despite the Dialogue National's relatively narrow objectives, persuading all parties to sign on to roadmap was not straightforward. Ennahda balked at the stipulations that would give the anticipated new technocratic government—an *unelected* government—the opportunity to influence the wording of the new constitution.⁶ Ennahda insisted that Ali Laarayedh and his cabinet would resign only after the passing of a new constitution and under the umbrella of a reconvened NCA. As another crisis loomed and the fate of the transition hung in the balance, the Quartet pursued further talks with all sides.

At this difficult point, the Quartet took a step that stretched the boundaries of the role of third-party mediator. On September 21, seeking to force the government's hand, it held a press conference, during which Abassi directly blamed Ennahda for the dialogue's delay and then pressed for the Troika's resignation. To reinforce the message, the UGTT organized a march that took place in eight locations outside Tunis, with the implied promise of a second march in the capital if Ennahda remained defiant. Abassi has referred to this potential

As many Tunisian leaders have emphasized, the specific purpose of the Dialogue National was to create a political and institutional framework and related set of pressures that would give rival leaders much needed space (and push) to resolve their conflicts.

second march as Plan B, namely, a set of actions the UGTT was prepared to undertake if and when the dialogue seemed near collapse. However, on October 5, with television cameras present, Ghannouchi publicly accepted the roadmap—but only after Abassi had spent three hours offstage urging him to sign it.

AGENDA

Set out on September 18 and signed by twenty-one parties by October 5, the roadmap outlined the agenda for the national dialogue. It called for forming a new Higher Electoral Commission in one week, passing a new electoral law in two weeks, defining an electoral calendar within three weeks, replacing the Troika government by the end of the third week, finalizing a new constitution within four weeks, and gaining the NCA's vote of confidence for a new cabinet by the fourth week and before the final vote for the new constitution.⁷

The roadmap was ambitious but achievable. That the dialogue was not overburdened by a heavily charged agenda turned out to be crucial to its success. As many Tunisian leaders have emphasized, the specific purpose of the Dialogue National was to create a political and institutional framework and related set of pressures that would give rival leaders much needed space (and push) to resolve their conflicts. In sharp contrast to the National Dialogue happening at the same time in Yemen—which had 565 members, multiple subcommittees, and a heavily packed agenda that included almost every issue of contention in the national arena—Tunisia's process was largely about creating a propitious context for negotiations rather than determining the substance of the talks themselves.

Although the roadmap set out a clear timetable, the Quartet on several occasions ignored key deadlines, thus making it possible to reach agreement.

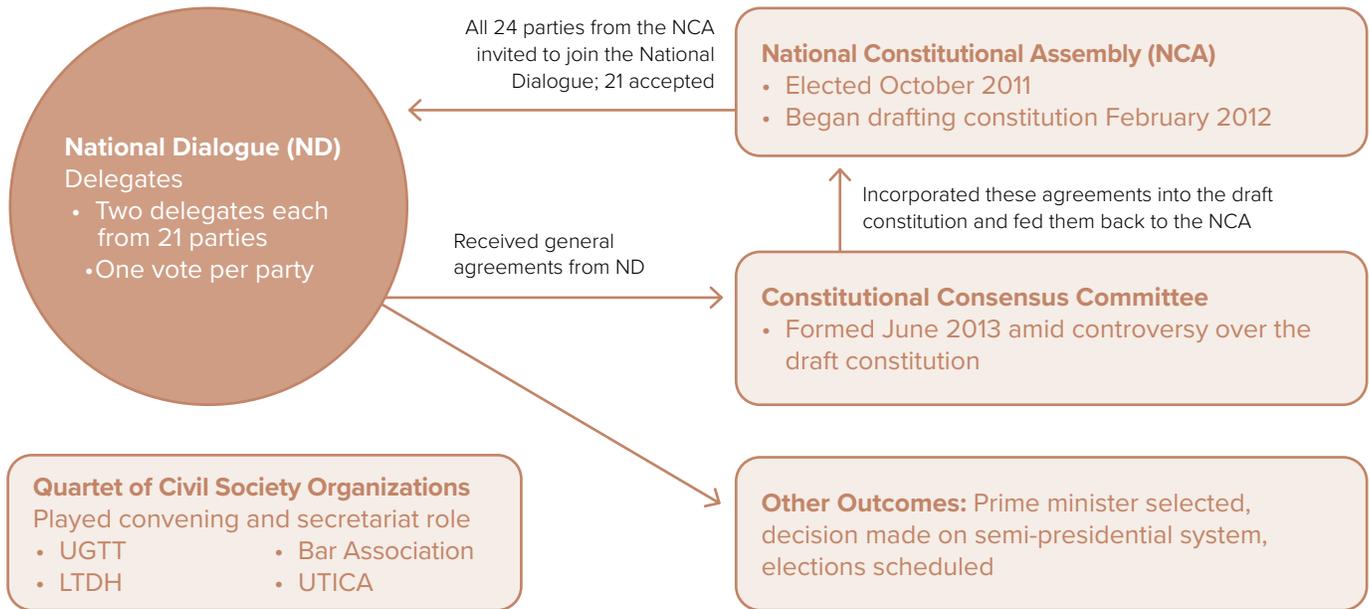
DELEGATES

The twenty-four parties represented in the NCA were invited to join the dialogue. This did not include all political parties in Tunisia, which numbered more than one hundred at the time. Regardless of their proportion of delegates in the NCA, however, each party was to be represented by one vote. Full participation at all times was not a condition for parties taking part and voting.⁸

Twenty-one of these twenty-four parties signed the roadmap and agreed to participate. Three parties—Wafa, al-Aridha, and Marzouki's CPR—declined to sign the roadmap and participate in the dialogue. Leadership of CPR, the most influential of the three, declined to participate because of disagreement with the “one vote per party” representation and because they thought the roadmap prematurely forced agreement on issues—such as the replacement of the government—that should have been worked through in the dialogue itself.⁹ The Quartet briefly entertained the idea of including parties that were not represented in the NCA, but Ennahda rejected the idea, fearing that adding more parties would turn the political balance in a way unfavorable to its interests.¹⁰

Ghannouchi and Essebsi were the most prominent delegates in the dialogue, each having the leverage to influence the votes of others. Both sought to look beyond the concerns of their organizations and constituencies and worked to resist pressure from their own hard-liners to adopt a more inflexible position or abandon the dialogue. Both—Ghannouchi especially—also had to persuade their parties to accept painful compromises. Their efforts to make concessions at the negotiating table while sustaining credibility with their followers often resulted in public opinion that the dialogue was an obfuscation or outright duplicity.

Figure 11. Tunisia Structure and Delegates



STRUCTURE

On October 25, 2013, the first formal and fully inclusive session of the Dialogue National took place at the Palais des Congrès in Tunis, where Abassi welcomed the participants. Subsequent sessions took place, the Quartet again serving as convener, at the Ministry of Human Rights and Transitional Justice.

Each of the participating parties had one vote. The vision at the outset was that all key decisions were to be taken on the basis of full consensus, but this norm was broken in December 2013, two months after the dialogue’s inception, over the issue of selecting a new prime minister.¹¹ Subsequently, the issue of staging of parliamentary and presidential elections would also be decided on a majoritarian basis.

All official sessions of the dialogue took place in plenary. Not every member of the participating parties attended each session, however. Because one vote was allocated to each party—as opposed to other dialogues, in which votes are generally allocated to each individual—attendance at national dialogue sessions was rather fluid. Parties also had the option of

abstaining from any given vote, as several opted to do over the selection of prime minister.

The process for reaching decisions tended to involve elite negotiating initiated by the Quartet. Although the formal sessions of the dialogue occurred in plenary, many of the substantive conversations occurred informally on the sidelines. The formal voting effectively ratified the compromises made in previous discussions. The dialogue did not have an elaborate support structure; the functions of the secretariat were largely accomplished by the four Quartet organizations, which were able to delegate staff to focus on the national dialogue.

The relationship between the Dialogue National and the National Constituent Assembly was delicate, especially given that opposition leaders had demanded the NCA’s dissolution and the Troika had insisted on the NCA’s continued mandate. Mustapha Ben Jaafar, the NCA president, played a crucial role as intermediary between the conversations held in the NCA and in the Dialogue National. The latter represented, in his words, a “legitimacy of consensus” that stood apart from—and

to some extent in uneasy relationship with—the NCA.¹² Jaafar therefore had to find a balance between defending the integrity of the NCA and the elected government, and accepting decisions made outside the assembly or the Troika.

Most of the detailed work on the constitution was undertaken by the Constitutional Consensus Commission. The killing of Brahmi in July put a temporary halt to the efforts of the CCC, but it reconvened for a short time in November and resumed its work in earnest in mid-December. It did not receive formal standing until December 28, but its ad hoc nature proved more of an asset than a liability, helping it become remarkably productive. As a Carter Center report notes, the CCC met “a total of 37 times between June 29 and December 2013” and “reached agreement on 52 points of contention affecting the preamble and 29 articles in total.”¹³ These points included the highly charged issue of how to define the role of Islam in the state.

The Dialogue National served as a convening space where the polarized political class could come together and reach consensus on the controversial aspects of the constitution, including women’s rights and the role of Islam in society, and then forward these agreements to the CCC, which incorporated them into the official draft. Although not formally part of the dialogue, the CCC played an important role in ensuring that the outcomes of the dialogue’s deliberations were enshrined in the constitution.

CONVENING AND FACILITATION

The national dialogue was convened by the four Quartet organizations. The Quartet’s authority was rooted partly in the fact that it was not elected but instead drew on the institutional authority and personal prestige of its organizations and leaders. Credibility was enhanced by the fact that the organizations were formally independent of the political parties and were not perceived to be under foreign influence.¹⁴ The most influential of the four was the UGTT. Accordingly, UGTT

Secretary General Houcine Abassi played the role of lead facilitator, facilitating sessions that sometimes lasted twelve or more hours.¹⁵

As Abassi noted in an interview, the UGTT’s influence derived from the fact that although it was formally a trade union, it had played a key political role from its earliest days by mediating conflicts between the populace and three successive regimes. This function was widely recognized by Tunisian elites from all parties and movements, who understood the long-standing national role the UGTT played. Thus, as noted, as Tunisia struggled with its post-revolutionary transition, the UGTT was well positioned to function as a mediator with muscle, culminating in its leading role in the first and second national dialogues.

The flexible nature of the dialogue process had much to do with the nature, role, and impact of the UGTT. Precisely because the union acted as a partisan advocate, national referee, and third-party arbiter, it was able to use this dissonant and even ambiguous institutional role in ways that impelled rival leaders to find common ground. Although personal leadership was crucial to this dynamic, the stature and identity of the UGTT was fundamental to the Dialogue National’s capacity to adapt to a fast-moving and fast-changing political arena and the rivalries unfolding within it.

ONAT’s semi-institutional role echoed that of the UGTT, even if it did not command the same national stature. Created in 2010 and legalized in early 2012, the Tunisian Bar Association represented a sizable middle-class professional sector in a country whose educational system annually graduated hundreds of lawyers. Indeed, lawyers constituted a pivotal segment of the professional middle-class elite, and their numbers only continued to grow with the partial liberalization of the economy in the 1990s. ONAT was thus well positioned to project strong political authority that transcended its more formal representational status.

For many average Tunisians, especially those living in more underdeveloped or socially deprived areas, the Dialogue National was a remote exercise in political theater . . . [that] had no immediate relevance to their daily lives and ongoing social and economic struggles.

As for the LTDH, it was the oldest Arab human rights group in the region and thus brought immense legitimacy and credibility to the Dialogue National. Commanding region-wide respect, it had impeccable credentials, including its role in opposing authoritarianism in Tunisia in the 1970s, and it added to the Quartet's moral and political clout.¹⁶

In contrast to its partners, UTICA did not wield a wider political authority that extended beyond its formal representational role. Although it had an estimated membership of 250,000 businesspeople—most from small and medium-sized enterprises—many of its leaders were ancien régime actors who had been cronies of members of the Ben Ali government. These links may help explain why the other Quartet members waited until late spring 2013 to bring UTICA into the Dialogue National.¹⁷ UTICA's participation was facilitated by recent changes in its ruling board that added leaders who were not tainted by association with the former regime. The resulting cooperation between old and new cadres helped UTICA project a more national posture without alienating veteran businessmen who feared that they might be subject to judicial investigation or excluded from participating in electoral politics in a democratic Tunisia.

On an informal basis, the Quartet members provided a useful sounding board for testing different positions and proposing solutions. The precise impact of these consultations is hard to measure, but they apparently helped in reaching solutions on key issues, including whether to create a parliamentary or presidential system and how to sequence presidential and legislative elections. For the most part, the Quartet leaders stayed out of—or kept a useful distance from—the actual negotiations.

PUBLIC PARTICIPATION OPPORTUNITIES

That the Dialogue National was a creation of four civil society organizations gave it a measure of accountability and legitimacy but did not confer widespread public support. The public had no opportunities to participate in the dialogue, nor did any regular communication strategy relay developments in the dialogue to citizens.¹⁸ As a result, the public quickly grew disenchanted.

Indeed, focus groups held in Tunis, Bizerte, Sfax, and Douz clearly indicate that for many average Tunisians, especially those living in more underdeveloped or socially deprived areas, the Dialogue National was a remote exercise in political theater.¹⁹

Participants in these sessions emphasized that from their vantage point, the Dialogue National had no immediate relevance to their daily lives and ongoing social and economic struggles—the same struggles that had helped spark the Jasmine Revolution. Many believed that the dialogue was a prearranged solution—perhaps influenced from abroad—to reconcile the two main political factions.²⁰ Although this popular estrangement is disconcerting, its practical impact is not easy to assess.

POLITICAL AND CONFLICT DEVELOPMENTS DURING THE DIALOGUE

The Dialogue National was the stage for most important political developments in Tunisia in late 2013 and early 2014. It seemed to have a stabilizing effect on the country's political arena; the political violence and protests that brought about the dialogue largely subsided after it began. In March 2014, several months earlier than anticipated, President Marzouki lifted the state of emergency that had been in place since the 2011 revolution.

INTERNATIONAL INVOLVEMENT

Tunisia's national dialogue was initiated and led by domestic stakeholders, but international and regional involvement in the country's transition made a significant and positive contribution. International actors came in at the right time, sought to support rather than redirect or undercut the Tunisian protagonists, and displayed a remarkable degree of consensus about what Tunisia's political future should look like (a democracy that could accommodate both secular and Islamist interests) and how it should be accomplished (by negotiation and reconciliation).

The ambassadors of many European countries and the United States met with the principal participants and offered not only encouragement but also quiet advice. As one participant noted, the US ambassador to Tunisia emphasized "the idea of finding an equilibrium between the new and ancien regime," a balance that of necessity required the involvement of both Ennahda and Nidaa Tounes.²¹ This message was repeated by several multilateral organizations, including the European Union and the UN Development Programme.

In terms of regional influence, perhaps the most critical player was Algeria. Having experienced eight years of violent civil strife in the 1990s, following the failure of the country's rival Islamist and secular forces to come to terms, Algeria's leaders were eager to ensure that Tunisia's leaders found common ground. Further, the infiltration of radical jihadist groups along the Algeria-Tunisia border posed a serious threat not only to the two countries also but to the region. Although hardly democrats themselves, Algeria's leaders understood that a failure to reach a deal in Tunisia could plunge the entire Maghreb into crisis. President Abdelaziz Bouteflika thus sought to encourage Ghannouchi and Essebsi—both of whom he knew personally—to reconcile. Bouteflika invited Ghannouchi to meet with him in Algiers on September 11, 2013, and Essebsi to do the same a day later.²² These two meetings helped cement the reconciliation that had begun a month earlier, when Ghannouchi and Essebsi met in Paris on August 15.

Economic considerations played a vital part in the pressure on Tunisia's leaders to come to terms. For example, the International Monetary Fund signaled that further economic support was contingent on a deal being reached.²³

IMMEDIATE OUTCOMES

The primary achievement of the second Dialogue National was creating a roadmap that Tunisia's leaders were able to follow to move from deadlock to consensus. At each stage along that route, the Quartet was ready to facilitate negotiations, act as a sounding board for proposals, and even apply pressure to nudge a reluctant participant to make or accept a deal.

Each of the milestones laid out in the roadmap was reached, though the time taken to travel the route was longer than anticipated. The selection of a new prime minister, for instance, involved whittling down a list of seventeen candidates and overcoming sharp differences among the parties. Eventually, the name of Mehdi Jomaa surfaced. A technocrat who had been minister of industry in Laarayedh's cabinet, he had the backing of a group of businessmen with ties to Ennahda. Their energetic lobbying of UTICA and the UGTT convinced the Quartet to support his candidacy and to encourage the other parties to do the same. But because consensus remained elusive, the parties agreed to choose the prime minister on a majoritarian basis. On December 14, Jomaa was selected as the new prime minister, receiving nine of eleven votes.

As negotiations over the constitution proceeded in December and January, the chairman of the NCA relied on the Quartet to test various positions and proposed solutions. Those consultations were not decisive, but they did help secure the political compromises necessary to generate a draft that all parties would accept. The constitution was ratified by the NCA on January 26, 2014.

Similar consultations helped secure solutions on two other key issues: whether to create a parliamentary or



Members of the Tunisian National Constituent Assembly celebrate the adoption of the new constitution in Tunis, Tunisia, on January 26, 2014. (Photo by Aimen Zine/AP)

presidential system, and how to sequence presidential and legislative elections. This first issue had been debated in the NCA and the CCC for some time and thus proved fairly easy to resolve in favor of a mixed system that gave the legislative branch ample powers but sustained a strong presidency. The sequencing question was trickier, with both liberal and some leftist leaders preferring that the presidential elections take place first, and Ennahda preferring that parliamentary elections be held first and or simultaneously. Given the contentious nature of the issue, its resolution required a credible third party that could rise above the secular-Islamist divide. That mediating role was supposed to be played by the newly constituted Higher Electoral Commission. But when the debate became highly charged, the Quartet invited political leaders and experts—including the head of the new commission, Professor Chafiq Sarsar—to offer their suggestions. It

then proposed a solution that was ultimately adopted by all the parties: parliamentary elections in October 2014 and presidential elections a month later.²⁴

After the national dialogue reached its conclusions on the sequencing of elections, brief conversations were held among the participants and the Quartet leadership about institutionalizing the dialogue. This idea ultimately lost favor among the political elite over concerns that doing so could diminish the authority of the permanent institutions of governance.²⁵

IMPLEMENTATION AND LONGER-TERM IMPLICATIONS

The agreements reached as a result of the Dialogue National have been translated into practice. The government of Laarayedh resigned on January 9, 2014, and was replaced by a technocratic government

headed by Jomaa. Parliamentary elections were held as scheduled in October of that year. Nidaa Tounes won eighty-six seats (40 percent) in the newly created 217-member Assembly of the Representatives of the People, while Ennahda won sixty-nine seats (32 percent). Presidential elections were held, also as scheduled, in November. Because no presidential candidate secured an outright majority, a runoff was held on December 21, in which Essebsi defeated Marzouki.

In February 2015, Prime Minister Habib Essid formed a unity government that included members of Nidaa Tounes and Ennahda and that won the backing of 166 members of the assembly. Eighteen months later, in August 2016, Essid's government was dissolved after a vote of no confidence and replaced by a new unity government, headed by Youssef Chahed, who became the country's seventh prime minister in six years.

The pursuit of consensus by Tunisia's political leaders slowed after the agreements brokered by the Dialogue National were implemented. This may seem paradoxical, given that the cabinets from February 15, 2015, onward included representatives of all major political parties. From the outset, however, the members of this unity government could not decide whether their decisions and the legislation associated with them and the national assembly should be based on consensus or majoritarian principles.

For example, agreement on the critical question of forming a truth and dignity commission was in fact broad in the cabinet and Parliament, setting the stage for the commission's dramatic public hearings in 2016. On the critical question of appointing the members of the new constitutional court, however, both the government and the national assembly were divided. As a result, by the fall of 2020, Tunisia still did not have a constitutional court, a new body whose formation was called for in the constitution. Similarly, in 2016 and 2017, the assembly and the government failed to reach agreement on the timing and modalities for municipal

and local elections. Much of the related work was to be undertaken by the National Electoral Commission. Essebsi and his allies in Nidaa Tounes, however, were accused of hampering the electoral commission's efforts in what was widely seen as a deliberate effort by secular groups to postpone elections that they feared Ennahda would win. These struggles illustrate that Islamist-secular conflicts endured despite the Quartet's successes in bringing about a basic bargain.

However, it is in the arena of economic disputes that the failure to reach consensus is most strongly felt. In late spring 2016, the government proposed an economic reconciliation law. This goal echoed the logic of the truth and dignity hearings in that it was meant to reintegrate leaders from the previous regime who had been accused of various crimes into the new democratic order. In this instance, the crime was not violating human rights but instead embezzlement and corruption. The Economic Reconciliation Law established that businessmen accused of corruption would not be tried if they repaid their profits and issued a formal apology. Nidaa Tounes's dominant position in the cabinet and national assembly allowed it to push the law forward despite wide popular opposition to it. Ennahda's leaders were also clearly unhappy with the new law, but given their minority position in the cabinet, they could not create a formal opposition front in the assembly. Moreover, it appears that Ghannouchi did not want to rock the boat by opposing a law that Nidaa Tounes favored. Thus the law passed in September 2017 despite public protests across the country.

The ongoing struggle over economic policy illustrates the uncertainties that come with the effort to move from consensus-based politics to democracy. The Dialogue National was designed to address basic political issues rather than the economic problems that prompted the Jasmine Revolution in the first place. The Quartet was united not by a shared economic vision, but by a common desire to level the political playing field and thus facilitate a new political bargain. Because this

task is largely completed, the leaders of the UGTT and UTICA have been at loggerheads over economic policy in general and the Economic Reconciliation Law in particular. Finding a third-party mediator with the kind of authority that the Quartet briefly wielded has thus far been impossible. The implications of this situation reverberated in the following years. Throughout 2018,

paralysis within the government over economic policy exacerbated an already serious economic crisis. In 2019, constitutional law professor Kais Saied, a relative political newcomer, was elected to the presidency following Essebsi's death in office, reflecting broad public disenchantment with Nidaa Tounes, Ennahda, and their respective allies.²⁶



Yemeni participants take part in the National Dialogue Conference in Sana'a, Yemen, on March 20, 2013. (Photo by Hani Mohammed/AP)

Yemen's National Dialogue Conference

By Erica Gaston

The 2011 Arab Spring seemed to offer Yemen a departure from its bloody and violent past—the opportunity for a political transformation that would overcome long-standing political, regional, and tribal divisions, as well as the legacies of President Ali Abdullah Saleh's divisive and repressive rule. In November 2011, after nearly a year of popular protests and military standoff, Saleh agreed to leave office in exchange for amnesty. The Gulf Cooperation Council Initiative ushered in a two-year transition with a series of processes and milestones, including a National Dialogue Conference (NDC) that would give Yemenis an inclusive forum in which to debate the restructuring of the state

and to mediate long-standing political issues. Some 565 NDC delegates, representing a range of political parties, tribes, and regions, as well as civil society, youth, and women, deliberated for nearly a year, from March 2013 to January 2014. They produced eighteen hundred recommendations covering everything from legislative proposals for health care and retirement pensions, to the federal structure of the state, to women's rights and transitional justice. However, key factions did not buy in, especially on the structure of the state and number of regions. In addition, the increasingly divided and besieged Yemeni state had little capacity to implement the extensive NDC

Figure 12. Yemen Timeline



Note: Not all events on the timeline are discussed in the text.

recommendations. With conflict among key factions escalating even as the conclusions were signed, Yemen slipped into civil war within six months, curtailing any possibility of implementation of the NDC's resolutions.

HISTORICAL CONTEXT

The Arab Spring reached Yemen in January 2011. Massive crowds of protesters, initially dominated by youth, took to the streets to voice their discontent with corruption, high unemployment, food shortages, and poor access to education and health care. As the demonstrations spread from the capital, Sana'a, to other cities, longtime political opponents of President Ali Abdullah Saleh saw an opportunity to end his three-decade rule. Opposition parties led by Islah, the Muslim Brotherhood-affiliated Sunni Islamist party, and southern secessionist groups joined the protests in February 2011.

The government responded to the increasing opposition protests by deploying troops and even tanks, leading to violent clashes. On March 18, Saleh loyalists fired on unarmed demonstrators in Sana'a, killing fifty-two and wounding more than two hundred. The incident turned the tide against Saleh and led to a string of important defections.¹ An important tribal clan, the Ahmars, joined the opposition.² It was followed by the most powerful figure in the military after Saleh, General Ali Mohsen al-Ahmar.³ The Yemeni military was split in two.

Over the course of the summer, intense fighting wracked the country, including the major cities of Aden and Taiz. Meanwhile, on the periphery, security control was deteriorating. Ansar al-Sharia, an affiliate of al-Qaeda in the Arab Peninsula, exploited the security vacuum in outlying areas and seized control of southern Abyan Governorate. In the north, the Houthis—a northern Zaydi Shiite group that had previously ruled Yemen for a thousand years—cemented their control of Saada Governorate and some parts of Amran Governorate.

By the summer, a military stalemate between the pro- and anti-Saleh contingents had emerged. The

international community—particularly Saudi Arabia and the United States—had watched events unfold in Yemen with growing concern. The Gulf Cooperation Council (GCC), supported by the United States and EU countries, had attempted to negotiate a peaceful transition of power from April onward but had repeatedly been rebuffed by Saleh, who refused to step down. On June 2, Saleh was badly wounded at his presidential compound in Sana'a and went to Saudi Arabia for medical treatment, leaving Vice President Abdrabuh Mansour Hadi as acting president. In late September 2011, shortly after Saleh returned from treatment in Saudi Arabia, he announced that he had agreed to negotiate a transfer of power. In exchange for coming to the negotiating table, Saleh and his supporters would receive amnesty.

On November 23, Saleh and the Joint Meeting Parties (JMP)—the collective term for a coalition of opposition parties dominated by Islah—signed what would become known as the Gulf Cooperation Council Initiative (GCCCI).⁴ It laid out a two-year transition plan and a new power-sharing agreement. Saleh would leave office within thirty days, transferring power to Hadi in return for immunity from prosecution. Early elections would be held within ninety days of the GCCCI (and were held in February 2012) with Hadi running unopposed for president, and a transitional power-sharing government would be formed with an even mix of representatives from the ruling General People's Congress (GPC) party and the JMP. The two-year transition period would be capped with a referendum on a new constitution and new elections.⁵

The GCCCI also established processes and benchmarks designed to address the root sources of conflict—both the long-standing security, rule of law, and economic issues incurred by years of weak institutions and governance, and the particular grievances of core political, tribal, and geographic constituencies that had opposed Saleh. Key among these were the so-called southern issue and the Saada issue. Southern groups (referred to collectively as Hiraak, but in fact comprising disparate

positions) had been protesting for greater southern autonomy or outright secession since 2007, inflamed by political marginalization, general economic exclusion, and specific grievances stemming from Saleh's heavy-handed treatment of the south after it attempted to secede, sparking a civil war in 1994.⁶ On the opposite (geographic) end of the spectrum, since 2004 the pro-Iran, anti-US, and anti-Saleh Houthi movement had carved out a virtually autonomous stronghold in the northern governorate of Saada and held out despite heavy bombing by the Yemeni military in no fewer than six rounds of conflict. Although reforms and trust-building measures continued throughout the transition, ultimately the flagship process for dealing with all of these issues was to be the National Dialogue Conference. It was to be the vehicle for both general reform of the state and addressing political and conflict triggers like the Saada and southern issues.

ESTABLISHMENT AND MANDATE

The GCCI framed the NDC as one of the major steps within the “second phase for the transfer of power.” Its mandate had two key elements. First, it was a vehicle for working through the many political, institutional, and social issues that had driven the protests, and for laying out the next steps for transition and state transformation. The GCCI mandated that the NDC address not only the southern and Saada issues but also deeper constitutional and institutional reforms, as well as fundamental rights issues. The mandate provided in the NDC included restructuring “the state and political system”; “building a comprehensive democratic system, including reform of the civil service, the judiciary, and local governance”; “achieving national reconciliation and transitional justice”; addressing violations of human rights and humanitarian law; strengthening the protection of vulnerable groups, including women and children; and addressing reconstruction and “sustainable economic development” needs. Second, the NDC was also to be the forum for establishing the “process of drafting the Constitution, including the establishment of a Constitutional Drafting Commission and its membership.”⁷

The NDC also had an unspoken mandate to bring other voices into the transition process—a response to critiques that the GCCI was a narrow, elite bargain. The parties making up the opposition JMP may have been politically marginalized by Saleh, but they had representation in the national Parliament and were themselves part of the elite. The youth who had initiated and sustained the protests viewed the GCCI critically, as a redistribution of power among the political elite rather than a transformation of Yemen's political landscape. The NDC was a partial attempt to address this by, as the GCCI described it, initiating “an open conversation about the future of the country” and “involv[ing] youth in determining the future of political life.” The first paragraph of the mandate for the NDC within the GCCI includes an explicit requirement that it be inclusive and include representatives from “youth, the Southern Movement, the Houthis, other political parties, civil society representatives and women.”⁸

The GCCI was supported by UN Security Council Resolution 2051, which called on all stakeholders to participate actively in the NDC. The GCC and the United Nations committed to providing financial and logistical support for the NDC.

PREPARATORY PHASE

On July 14, 2012, five months after being elected, Hadi issued a presidential decree to form the NDC Technical Preparatory Committee, as required under paragraph 19(a) of the GCCI. The decree gave the preparatory committee massive responsibility, including deciding the size of the participating delegations; the eligibility criteria for participants; the dialogue structure and working groups; the draft agenda and themes; the internal bylaws; the plan for public participation, engagement, and media access; the budget and international support process; and any logistics and security arrangements.

The preparatory committee was heavily critiqued from the start. Despite the appointment of some independent members, it was criticized for being too heavily

In a sign of the roadblocks to come, southern Hiraak representatives boycotted membership in the preparatory committee altogether. More generally, the perception was that the preparatory committee reinforced the elite-centered nature of the transition process.

dominated by traditional political elites, specifically the GPC. That many of those appointed seemed to lack the technical competence and experience to carry out the preparatory tasks increased accusations of political favoritism. In a sign of the roadblocks to come, southern Hiraak representatives boycotted membership in the preparatory committee altogether.⁹ More generally, the perception was that the preparatory committee reinforced the elite-centered nature of the transition process. Despite a flexible mandate to reach out to different constituents, the preparatory committee was roundly critiqued for only conducting consultations with the elite in Sana'a.

Originally slated to work for ten weeks, the preparatory committee instead took nine months and completed only the part of its mandate related to the structure, organization, rules of procedure, and management of the NDC.¹⁰ Ultimately, the task of determining the participant quotas was ceded to the UN Special Envoy for Yemen, Jamal Benomar, with whom President Hadi would work closely. This furthered critiques that the preparatory committee lacked political independence and that the composition of the ultimate NDC was politically compromised.

Getting the right representation and enough buy-in from all major stakeholders was the critical issue in the preparatory phase. Many would argue that failure to do so, particularly from Hiraak, was ultimately what prevented the NDC from achieving its major goals. Hiraak was suspicious of the NDC from the start, seeing it as the product of an agreement between different factions of the regime that had long suppressed southern ambitions. Hiraak argued that the southern issue was different from the other items on the NDC agenda because it could result in a separation of the state into two. The language of the GCCI, premised

on finding a solution to the southern issue within a unified Yemen, seemed to foreclose any possibility of separation. Many Hiraak activists proposed having a separate north-south dialogue before the NDC that might be premised on developing peaceful terms for separation. However, any talk of secession was dismissed by the United Nations, the United States, and Saudi Arabia, which insisted that the only forum for negotiation was the NDC.

Lack of progress on confidence-building measures exacerbated this mistrust. This was symbolized by the so-called twenty points—a list of long-standing southern grievances. Half of the demands dated back to Saleh's retaliatory behavior following the south's loss in the 1994 civil war—for example, demands that the Yemen government apologize for the war; restore seized property, assets, and agricultural land; restore jobs or pensions for southern military and civil servants forced into retirement; and reopen a prominent, shuttered southern newspaper. Many Hiraakis saw progress on these points and other confidence-building measures as critical prerequisites to beginning the NDC; but as of the start of the dialogue, no measures to implement the twenty points had been taken, other than to form a few committees to look into the issues.¹¹

The preparatory committee announced early on that 50 percent of the representatives in the NDC would be from the south, but this did not alter Hiraak's position. Despite significant diplomatic outreach by Benomar, Hadi, and other prominent Yemenis, few of the main Hiraak leaders chose to participate. In the end, those who did join were southerners allied with Hadi, who himself hails from the south but was viewed by Hiraak as part of the northern elite, and those already willing to compromise and accept a unified state.

AGENDA

The main agenda and themes largely tracked the issues set out in the NDC's mandate within the GCCI. These were organized into nine working groups within the NDC, with each working group tasked to further develop its agenda and issue items.¹² These were the southern issue, the Saada issue, transitional justice and national reconciliation, state building, rights and freedoms, sustainable development, security and the army, good governance, and independent or special entities.

Some of the themes were fairly straightforward in terms of signaling what issues would be discussed. Others covered an enormous range. For example, the preliminary topics listed by the NDC Secretariat under the good governance working group included the rule of law, accountability and transparency, the achievement of justice and equality, combating corruption, public administration, and the foundations of foreign policy. The vaguely named special entities group covered issues relating to civil service, the media, religious endowments, political parties, women and vulnerable individuals, and other rights issues.

The preparatory committee considered further refining these broad themes, but it continually faced political opposition from different parties or contingents. Disagreements also arose internally that reflected the members' political leanings and ideological affiliations. Themes that touched on the structure of the state and any distribution of power and economic resources were controversial, but so were the issues of transitional justice, the role of sharia, and women's rights. For instance, independent preparatory committee members insisted on keeping human rights and women's rights on the agenda of the rights and freedoms working group, despite the objection of those aligned with more conservative religious parties. Equally contentious was the transitional justice theme, with the GPC representatives arguing with JMP representatives over what issues might be open for discussion versus those barred by the GCCI amnesty agreement.

Keen to avoid controversy, the preparatory committee did little to make the themes more specific. The underlying disagreements about what should be on the agenda and whether consensus would be possible were sidestepped by keeping to very broad themes generally tolerable to all parties.

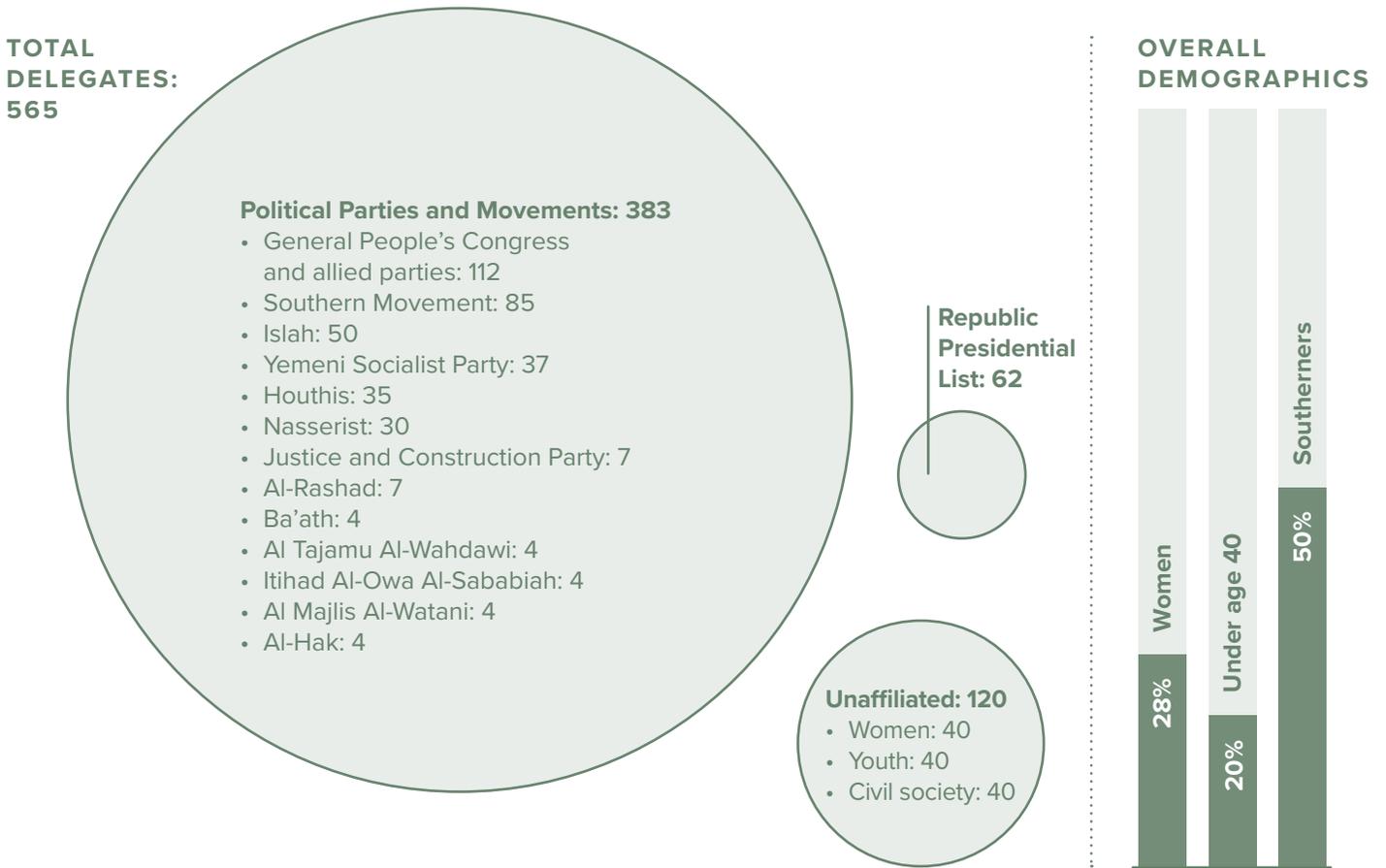
DELEGATES

From the beginning, the NDC was intended to be inclusive, bringing those who had been marginalized under the Saleh regime and those left out of the GCCI negotiations to the negotiating table. The GCCI specifically stipulated that NDC participants include "youth, the Southern Movement, the Houthis, other political parties, civil society representatives and women."¹³

By some measures, the NDC achieved this. Of the 565 delegates, 50 percent were from the south, 20 percent were under forty years old, and almost 30 percent were women.¹⁴ Although the majority of seats were dominated by political parties, which reinforced the perception of the same actors making decisions as in the past, 120 seats—including forty for civil society organizations—were unaffiliated. The political party allocations included seats for both Hiraak and Houthis.¹⁵

This was certainly more inclusive than past Yemeni political processes, but it did not silence significant critiques that old elites were overrepresented. Participation was still dominated by the main political parties, the GPC and Islah. Some observers and critics argued that the more numerous traditional elites, political parties, and tribal interests in the NDC attempted to exclude women, youth, or civil society representatives from meaningful contributions and decision-making within each working group. In addition, membership in a particular group does not guarantee that a person will represent that group's interests. As Charles Schmitz wrote for the Middle East Institute, "Being of southern origin does not translate into support for the southern cause, much like being a woman does not translate into support for UN-style rights for women."¹⁶ Political parties were shrewd in choosing

Figure 13. Yemen Delegates



at least some women and youth representatives who would vote according to their party lines. Outwardly inclusive, old-guard views still dominated.

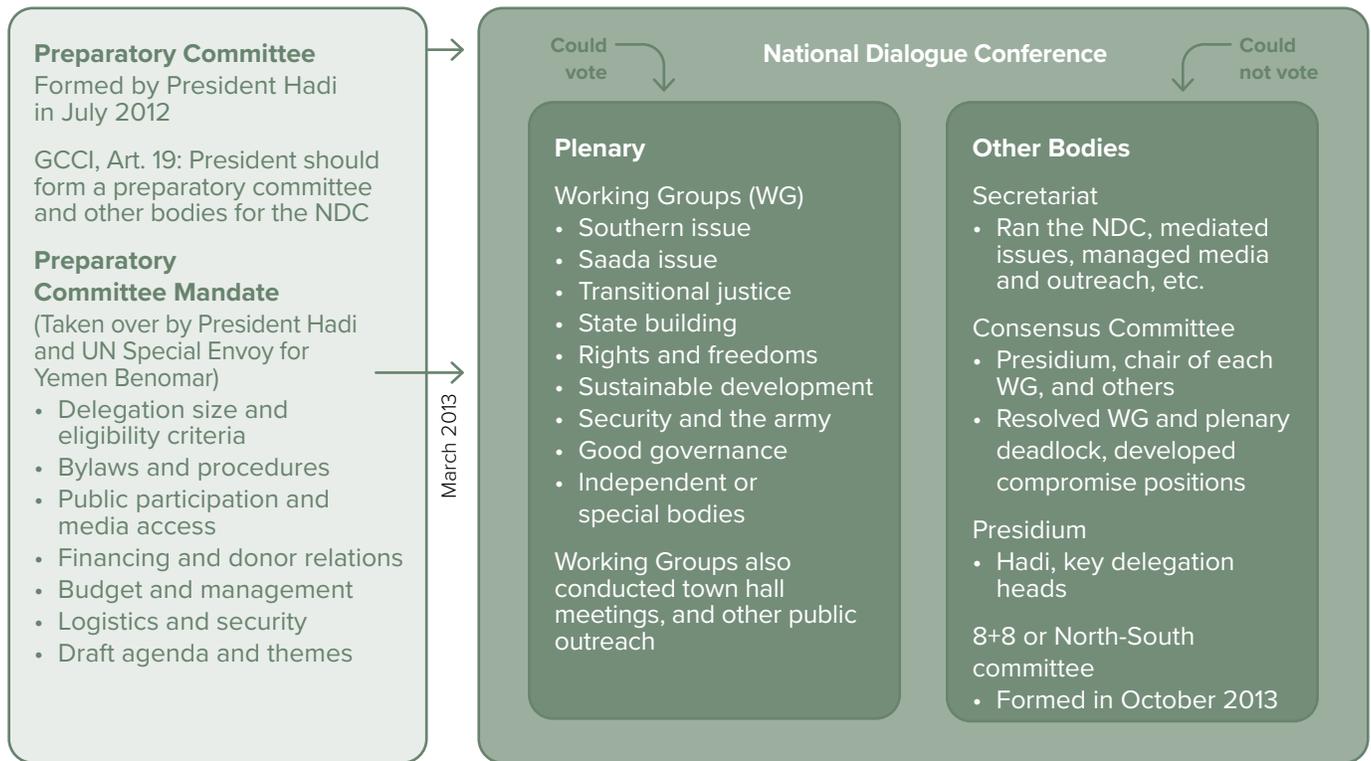
The NDC’s internal bylaws specified a set number of participants and composition for each working group. The political parties or groups participating were allowed to select who would represent them in each of the working groups. The one criterion was that an individual should have some expertise in the subject matter of the working group. This stipulation, however, was frequently ignored by the political parties; representatives in all the working groups were mostly politically rather than technically oriented.

STRUCTURE

The NDC as a whole was managed by the Secretariat, led by Ahmed Awad bin Mubarak as secretary general,

which worked in close conjunction with the UN special adviser’s office. The Secretariat managed all administrative and logistical needs, the media and outreach plan, and documentation of outcomes. It also selected Standards and Discipline Committee members, decided the working groups’ voting procedures, and played an important informal role in supporting each working group’s deliberations and in helping work through deadlock. In addition to the Secretariat was the Presidium, led by Hadi and made up of eight other leaders of key constituencies, including each of the largest political parties, the Houthis, a Hiraak leader, and a woman from the women’s list.¹⁷ The Consensus Committee was formed to help resolve and work through deadlock issues. It comprised the members of the Presidium, the nine chairpersons leading each of the working groups, and additional members appointed by Hadi as head of the Presidium.¹⁸

Figure 14. Yemen Structure



The plenary body of 565 members, divided into the nine working groups, was responsible for the main substantive outcomes. Each group was to develop its own findings and recommendations that would then be put before the plenary for voting. Voting rules were similar at both the working group and plenary level: 75 percent of the membership had to be present to reach a quorum; 90 percent approval of those present was required for a decision to pass.¹⁹ When 90 percent consensus was not possible in either the plenary or the working groups, the issue would be raised to the Consensus Committee for a decision. Once that committee sent the revised or negotiated text back to the plenary, the decision could be adopted with 75 percent consensus. If this was not attainable, the issue was referred to the Presidium.²⁰

A final voting provision worth noting was a special rule designed to protect the majority parties from being outvoted in the plenary stages by smaller or nonaligned

representatives banding together (not an impossible outcome, at least at the 75 percent threshold). If the entire membership of two delegations opposed a decision, and each of those delegations held at least 5 percent of the seats, then the decision could not pass.

During the course of the NDC, two additional structural changes emerged that were arguably more important for the final outcomes than the original committee structures and organization. First, the Consensus Committee proved to be much more central than initially anticipated, negotiating through impasses in the committee and plenary stages and managing the overall process. In recognition of this, a decision was made to extend it after the NDC concluded, nominally to oversee the implementation of outcomes but in practice positioned as almost a parallel, supra-governmental administration body. Second, in response to deadlock in the critical southern and Saada committees, which threatened to end the entire NDC, a

special high-level committee with eight representatives from the north and the same number from the south (often referred to as the 8+8 or North-South committee) was created.²¹ As will be discussed, this committee determined the most critical NDC outcomes, overshadowing other committees' work.

CONVENING AND FACILITATION

Each working group elected four of its members to serve as the group's chair. It was clear from the outset of the NDC that this group leadership would manage the working group's dialogue, a task that included facilitating the group discussions. The NDC internal bylaws stated that the working groups had the right to receive assistance from facilitators when deemed necessary. One independent Yemeni facilitator was provided for each working group at different stages of the NDC.

From the beginning, the Secretariat faced difficulties in covering the costs of facilitators and in adequately staffing these positions. The budget provided by the preparatory committee did not account for facilitation, so the Secretariat had to expend considerable effort to convince international donors to provide the additional funds to cover facilitation costs. In addition to financial difficulties, many members of the working groups were initially uncomfortable with the facilitators because many of them were young and inexperienced. In addition, the number of Yemeni professional facilitators was small, and training was needed to prepare them for their expected roles.

Much of the facilitation was therefore informal, conducted by members of working groups with personal experience and influence; by members of the Secretariat, notably bin Mubarak himself; and by members of Benomar's office and other actors close to Hadi.

PUBLIC PARTICIPATION OPPORTUNITIES

Encouraging public awareness and outreach was a major part of the NDC portfolio of activities. The Secretariat media center was well equipped and

funded. Its mandate was to monitor any media content created by the Presidium, the working groups and subgroups, and the Secretariat, and to produce news briefs and video records of all events and activities of the NDC. The media center, in partnership with other Yemeni civil society groups and international donors, produced a mass media campaign to raise awareness among the Yemeni public about the NDC; the campaign ranged from billboards to radio and television spots to public briefings.

To encourage wide interest and participation in its work, the NDC established multiple channels through which information, ideas, and opinions could be submitted. It accepted electronic submissions and submissions by hand; it also created a telephone hotline for ministries, other government institutions, nongovernmental organizations (NGOs), and civil society organizations to offer their input. NDC delegates were also required to conduct town halls in local communities across the country to better inform the public about their work and to receive feedback. Although many did this, increasing security challenges and general travel issues in Yemen limited the number of trips and amount of outreach. Many delegation visits were canceled due to security concerns, resulting in substantial outreach happening primarily in more secure, urban areas.

Despite significant outreach efforts, the overall impression was that the NDC was isolated and disconnected from the public. Many citizens felt that it was an elite dialogue unrelated to the needs of ordinary citizens. This perception may in part have been due to the difficulty of reaching a large enough portion of Yemenis in such a short period—a significant challenge given access, connectivity, and security issues in the country. It was also because although the NDC was ongoing, other conditions were in a sharp decline. Many Yemenis felt that the NDC was essentially a political circus, with political elites spending months discussing Yemen's future in the luxurious Mövenpick Hotel as conditions in the country deteriorated.

POLITICAL AND CONFLICT DEVELOPMENTS DURING THE DIALOGUE

Yemen faced significant challenges at the start of the transition: a legacy of weak institutions, poor governance, widespread corruption, and economic stagnation from Saleh's three-decade rule. It also had to address immediate issues stemming from the 2011 period. In the year of protests and conflict, the Yemeni state had lost control of significant territory, many public services had stopped altogether, and oil exports and other economic lifelines had been disrupted. The power-sharing government was internally divided and more focused on competing internally than on addressing issues. Hadi himself was known to be weak and to have few strong allies other than the international community.

Thus, as the NDC continued, the political and conflict situation in Yemen worsened. The economy continued to decline, and government institutions became factional battlegrounds for control of a virtually nonexistent state. This led to greater shortfalls in many governance, rule of law, and humanitarian and development activities, leading to worse conditions than under much of Saleh's regime, despite significant international donor support.²² Violence flared across the country. In the summer of 2012, Yemeni forces, together with local leaders and tribal groups, had regained control of the governorates of Abyan and Shabwa, which Ansar al-Sharia had taken in 2011. However, Ansar al-Sharia pushed back and throughout the period of the NDC assassinated security and military officers, attacked military bases in far-flung governorates, and steadily gained influence and control in eastern Yemen, notably in Hadramawt Governorate. Bombings of major oil pipelines and infrastructure were common, as were assassination threats against tribal leaders and kidnappings of foreigners and wealthy businessmen. These incidents were sometimes blamed on terrorists, sometimes on criminal groups, and sometimes on politically frustrated tribal leaders. Collectively, they underlined the fragility and weakness of the Yemeni state.

In the north, the Houthis had not relinquished their gains on northern Saada Governorate. Instead, they expanded their territory in response to their increasing mistrust of the transition process and the NDC (despite their participation in it) and the increased Salafi presence in the north. As the NDC was in its final stages, serious conflict broke out between the Houthis and Salafis in the northern city of Saada. The conflict spread, and the Houthis prevailed over powerful Islah-affiliated forces in Amran, near the capital city of Sana'a, in January and February 2014.²³

For the most part, the NDC was cut off from these larger political and conflict dynamics, and was compared (negatively) to an island within the Mövenpick. Some protests were directly fueled by the NDC processes, particularly in the south, where Hiraak was dominant. NDC delegate visits to some governorates were canceled or suspended due to security threats. Two prominent Houthi NDC delegates were assassinated, one in October 2013 and one in January 2014 while en route to final NDC plenary discussions.

INTERNATIONAL INVOLVEMENT

As expected from the outset of preparations for the NDC, logistical, administrative, technical, and security arrangements were costly. The official NDC website estimated expenses at 8 billion Yemeni rial (approximately \$37 million at the March 2013 exchange rate) and stated that the Yemeni government would cover 40 percent of the expenses.²⁴ The government of Yemen indeed contributed \$16.6 million, albeit with funds given to Yemen by Saudi Arabia as part of its contribution to the NDC. Most of the funding was external, coming from the Friends of Yemen, an international donor framework of thirty-nine governments and international organizations that was created to support the Yemeni transition.²⁵

Funding for the NDC was primarily channeled through the Yemen National Dialogue and Constitution Reform Trust Fund, which was administered by the UN Development Programme. As of its final report in

Each step of the transition process, and of the NDC itself, was coaxed along by international diplomacy and engagement. In some cases that pressure was positive, in that it kept the process on track, but in others it may have forced premature steps.

December 2016, the fund had received \$25.23 million from nine donors: the UK Department for International Development, the Swedish International Development Cooperation Agency, the Netherlands, Japan, the European Union, Germany, Denmark, Qatar, and Turkey.²⁶ Some countries supported the NDC both bilaterally and through the fund, including, for example, the United States, the UK, the EU, Germany, and the Netherlands.

Two aspects of the NDC's expenditures provoked public controversy: the luxurious setting for the conference and the daily delegate allowances. That stipend was between \$100 and \$180 per day—more than the average Yemeni citizen earned in a month—for all ten months of the NDC. Given that most Yemeni citizens were facing economic hardship, such expenditures seemed extravagant and insensitive, widening the divide between the NDC and the public.

The NDC was born of an internationally brokered agreement, and the international community played a critical role in financing the NDC. Even though international entities had no formal role in its day-to-day workings, their influence remained significant. Each step of the transition process, and of the NDC itself, was coaxed along by international diplomacy and engagement. In some cases that pressure was positive, in that it kept the process on track, but in others it may have forced premature steps in the transition and NDC negotiation process. For example, although already months behind schedule, some argued in early 2013 that the NDC should not start until greater Hiraak engagement and buy-in had been secured. The Group of Ten—the ten ambassadors representing countries supervising the transition process—and the United States in particular argued for the process to start as soon as possible, regardless of Hiraak participation. They ultimately prevailed.

International influence was also manifest in the composition of the NDC and many of its components. The mandate, as defined in the GCCI, called for an inclusive negotiation, including representation of other parties, women, youth, and civil society. Many Yemeni domestic advocates fought for this inclusivity in successive negotiations, significantly aided by many international diplomatic missions and observers who used their financial clout and pressure to ensure some level of representation. The degree of public participation, outreach, and inclusion of the media was also a significant demand of many international observers. Even if critiqued for not going far enough, the public participation and consultation that did take place would not have been possible without significant international support for NDC outreach programs across the country.

International actors also played a significant role in supporting many of the technical processes, providing training in facilitation and in particular thematic issues. Many of these efforts were channeled through the UN adviser's office as well as other NGOs and civil society organizations.

The UN adviser played a central but controversial role, directly mediating throughout the NDC process, from attempting to facilitate participation in the initial phases to mediating deadlocks between major parties during the dialogue.

IMMEDIATE OUTCOMES

The NDC concluded its work on January 24, 2014, and issued its *National Dialogue Conference Outcomes Document*. The NDC's final communiqué, which summarized the NDC's conclusions, sounded an optimistic note, using language suggesting that Yemen would soon modernize itself and acquire the trappings of a liberal democracy. Headings from sections of the



From left, Yemeni President Abdrabuh Mansour Hadi, Kuwaiti First Deputy Prime Minister and Foreign Minister Sabah Al-Khaled Al-Hamad Al-Sabah, and UN Special Envoy for Yemen Jamal Benomar attend the closing of the national dialogue in Sana'a, Yemen, on January 25, 2014. (Photo by Hani Mohammed/AP)

report promised “A New Beginning,” “Emancipation from the Past,” “A Modern Civil State,” “A New Yemen,” and more.²⁷ This optimism, however, was contradicted both by the worsening situation in the country and the fact that the final outcomes document papered over major differences not resolved within the NDC.

Although the NDC was supposed to have come to a close in September 2013, major deadlocks had hampered several committees, notably the Saada committee and those dealing with the southern issue and with transitional justice. Other committees whose conclusions depended in part on resolution of these issues, such as the state-building and development working groups, also had to hold their reports. Most significantly, in response to the issues that manifested in the southern issue committee, the Hiraak delegates staged a boycott for three weeks in

August. This prevented the NDC from going forward altogether because without these delegates, there could be no quorum.

To resolve the issues, a special committee was formed: the 8+8 or North-South committee. Even this group—hand selected to be those willing to strike a compromise—could not completely address the underlying issue of southern secession. The 8+8 committee agreed to a federal state but still could not agree on the number of regions within the federal state, nor on how power would be shared between regions and the federal government. The compromise was controversial almost as soon as it was brokered. Within days of agreeing to the federal state, several parties that had accepted the decision rejected it. Nonetheless, the NDC incorporated this compromise into its final outcomes. As this author summarized elsewhere,

the compromise that originated in the 8+8 committee was not revisited and approved through the regular NDC processes but was simply accepted as one of the final NDC outcomes, with disagreements over the number of regions and the power and resource-sharing questions still undecided at the time the NDC closed. Two weeks later, on February 3, 2014, a special committee hand selected and led by President Hadi announced that they had agreed upon six regions, two in the south and four in the north. A proposal to have six regions was mooted in the 8+8 committee and the NDC but ultimately was not accepted. For this reason, the announcement of a six-region solution so soon after the NDC negotiating processes had failed to agree on that option, and by a small, fairly unrepresentative committee, was surprising. It was immediately rejected by some key Southern leaders.²⁸

The outcomes document organized the NDC's outcomes into three categories: constitutional principles (which were then to be rewritten into a new constitution), legal frameworks and conditions, and recommendations. Judged by the sheer number of recommendations, which totaled eighteen hundred, spread across all nine working groups, the NDC had been remarkably productive and successful. Indeed, some of the working groups could fairly claim success, having completed their work without great controversy and reached agreement on the issues at hand. However, the outcomes document glossed over fundamental disagreements about the structure and composition of the state, as well as the very rights and transitional justice issues that the NDC was partially created to resolve. Its successful conclusion was only possible by sidestepping or papering over the most difficult issues.

The Houthis and Hiraak both rejected the outcomes document, particularly the decision to create a federal state and the proposed regions. They objected both to the fundamental decisions and to the process by which these decisions were made, without consultation and over the objections of many Houthi and Hiraak representatives.

IMPLEMENTATION AND LONGER-TERM IMPLICATIONS

NDC delegates established structures for overseeing or implementing the dialogue outcomes, including, as noted, the extension of the Consensus Committee, a proposed new national body to monitor implementation (never formed), and a constitutional drafting committee to develop a new constitution based on the outcomes and principles decided. However, any progress toward implementation largely ran aground because of the frailty of Hadi's government, which struggled to carry out even basic functions; outright rejection of the NDC outcomes by key constituencies, especially the Houthis and Hiraak; and the country's rapid spiral toward civil war.

The instability brewing during the NDC only escalated when it concluded. Continued poor service delivery, lack of jobs, humanitarian shortfalls, and instability fed massive discontent and protests. Meanwhile, in the north, the Houthis continued to make gains, prompting clashes between Houthi and government forces during the summer of 2014. Hadi's direct mediation attempts failed. During this time, the Houthis also became politically stronger as they appeared to be the one coherent opposition movement challenging an increasingly unpopular Yemeni state. In August 2014, these issues came to a head after the Yemeni government decided to restrict fuel subsidies. The Houthis seized on the unpopular decision as an opportunity to galvanize anti-government protests, with participants numbering in the tens of thousands, that endured for several weeks. Then in September, eight months after the NDC issued its unrealistically optimistic and ambitious outcomes document, Houthi forces—now allied with former President Saleh and his supporters—took control of Sana'a.²⁹ Far from transitioning to a more stable and inclusive society in the wake of the NDC's work, Yemen plunged into civil war.

Whether the NDC might have helped Yemen avoid such a bloody path is impossible to say, but certainly

its potential to do so was weakened by significant issues in the NDC process and structure. Its overly ambitious and vague agenda was too broad in scope to manage successfully, both because the number of issues was unwieldy and unrealistic for such a body over a limited time, and because the breadth reflected significant unresolved differences. The reason the agenda, the committee mandates, and the key issue areas were so vague and broad was that key constituencies could not even agree enough to narrow them down. The breadth was itself a reflection of too little buy-in and a failure to get the consensus going into the NDC that was necessary for it to generate successful outcomes. The unwieldy number of delegates, poor technical preparation, lack of expertise and experience among participants, and limited facilitation support were further obstacles.

Handicapped by these technical issues and by the weak consensus and buy-in, the NDC was easily co-opted and manipulated. The most powerful political actors saw the dialogue and the transition process as opportunities to advance their agendas or disadvantage rivals. This led to obstructionist steps throughout

the process, from Saleh's allies trying to subvert transitional justice, to Hiraak's many boycotts and blockages of the process, to Islah and also Houthis trying to use the flagging NDC and failed implementation to demonstrate the incompetence of Hadi's government.

The NDC was of course not responsible for the competition and conflict fault lines that sabotaged its internal deliberations and ultimately subsumed the country. But because it failed to manage them, it appears in hindsight to have been a costly distraction during a critical period. The NDC consumed enormous political energy and time as well as a fair amount of administrative and technical support that might otherwise have been used to shore up the basic governance shortfalls that plagued Yemen and that contributed to the deteriorating conflict environment. This trade-off in political energy and resources might have been easier to justify had the NDC lived up to its mandate of brokering a resolution between key constituencies. However, rather than becoming the place where long-standing grievances and differences could be resolved, the NDC was captured by them and ultimately fed into the collapse of the transition process.



Outgoing Senegalese President Abdoulaye Wade waves as he leaves the presidential palace, ceding its occupancy to newly inaugurated leader Macky Sall, in Dakar, Senegal on April 2, 2012. (Photo by Rebecca Blackwell/AP)

Lessons and Guiding Questions

By Elizabeth Murray and Susan Stigant

Among the first questions peacebuilders and policy-makers ask about emerging national dialogues are “How do we know whether the context is ripe for a national dialogue?” and “How can we design or support it to help to bring peace to our country?”

To help answer these questions, this concluding section synthesizes insights from the six case studies discussed in this volume, along each of the following dimensions: context and purpose, establishment and mandate, agenda, delegates, public participation, structure and decision-making, convening and facilitation, international involvement, and results and implementation. In addition, it offers a set of guiding questions for practitioners and policymakers to

consider in making their assessment and initiating a design process. Each section can serve as a quick reference for those who have questions about a particular element of a national dialogue. In several instances, a similar observation is included in multiple sections where it is relevant.

The small number of cases in this study clearly limits definitive conclusions and risks generalizations. The editors suggest that a national dialogue has the greatest chance to help end violence and open a pathway to peace when organizers apply the most fundamental principles of peacebuilding. These include understanding and matching the circumstances that give rise to the dialogue with an appropriately tailored approach;

establishing realistic objectives; monitoring and analyzing conflict dynamics throughout; adapting the process design as needed; seizing opportunities to give all groups, including those who have been previously excluded, a real voice in the discussion, decisions, and implementation; and, after the conclusion, ensuring follow-through so that a seat in the national dialogue translates into inclusion in governance and society. Each of the cases further highlights that a national dialogue does not take place in a vacuum. Its success depends—at least in part—on other interconnected dialogues, consultations, negotiations, and trust-building that may happen before, during, or after the dialogue.

CONTEXT AND PURPOSE

The context in which a dialogue emerges necessarily influences its design. Subsequent sections highlight the range of experiences across the six cases for the official mandate, agenda, public participation, and implementation. Each of these is rooted in the shared understanding of the context and early decisions made about the purpose of the dialogue. All told, hundreds, if not thousands, of decisions will need to be made. A shared conflict analysis should inform those decisions. As conflict dynamics evolve, changes in a dialogue's agenda may be warranted, although such changes should not be made without the buy-in of participating groups.

National dialogues that take place amid widespread armed conflict face particular challenges. These include logistical difficulties of reaching populations affected by conflict and the possibility that armed groups will actively disrupt the process, as well as the heightened safety and security risks of participation for both conveners and delegates. It is important to determine how and whether the dialogue will be sequenced, linked, or connected with negotiations or other peace processes. These dialogues can also face greater obstacles during implementation. For example, if a dialogue concludes and results in recommendations, but no peace deal has been negotiated, it is unlikely

that a sitting government will be capable of or willing to make significant reforms during ongoing conflict. Another circumstance that challenges implementation is when the dialogue takes place under a transitional government, and the elected government that follows does not have the same level of investment in and commitment to the outcomes. This transitional scenario can also occur outside armed conflict. Both challenges were present during and after the Bangui Forum in the Central African Republic (CAR), leading to limited implementation several years on.

As the prospective organizers of a national dialogue work to determine whether such a process is appropriate in a given set of circumstances, the following guiding questions may be helpful:

- Is the context ripe for a national dialogue? Is a ceasefire in place? Have major stakeholder groups demonstrated a genuine commitment and willingness to engage, or could significant groups undermine the dialogue's credibility if they were to boycott? What needs to be done to bring these groups into the dialogue (pre-negotiations, mediation)? Alternatively, is there a way to mitigate their impact? Have any groups set preconditions for their participation? If so, is it likely that these can be met without alienating other key stakeholders?
- What problem is the national dialogue aiming to solve—broker peace, ease a political transition, facilitate broader citizen engagement with the government? Something else?
- If the dialogue is taking place in the midst of violent conflict and its consequences (humanitarian crisis, displacement, limits on rights and freedoms), how will it affect each phase? What is the potential for participation? If limited, how will this affect the credibility of the dialogue?
- What, if any, is the relationship between the dialogue and a peace process or processes—catalyzing initiation or continuation, providing input as they develop, or enabling their implementation?

ESTABLISHMENT AND MANDATE

The mandate of a national dialogue can be anchored in an informal process or a formal agreement, with or without international involvement. Any of these options can be credible—but they need to be tailored to the perception of the key groups and to take into account securing international engagement or buffering interference.

The two Lebanese national dialogues discussed here derived their mandates from different sources. The one in 2006 was convened by Speaker of Parliament Nabih Berri, who garnered support for the initiative through consultations with influential political leaders. Following decades of heavy regional involvement in Lebanon, the national ownership and composition of this dialogue was noteworthy. By contrast, the 2008–2012 dialogue was mandated by the Doha Agreement that ended eighteen months of political deadlock and brokered the selection of Michel Sleiman as president of Lebanon.

In Yemen and CAR, the national dialogues derived their mandates from internationally recognized agreements. The Gulf Cooperation Council Initiative (GCCCI), brokered by the regional organization, mandated that a National Dialogue Conference (NDC) be held in Yemen after President Ali Abdullah Saleh stepped down in February 2012 and presidential elections were held. CAR's Bangui Forum was the third stage of the peace process and political transition originally envisioned by leaders of the Economic Community of Central African States (ECCAS) when they convened in N'Djamena, Chad, in an extraordinary summit in January 2014. Republic of the Congo President Sassou Nguesso mediated the ceasefire (stage one) with the backing of other regional leaders and further helped prepare for the Bangui Forum. In Kenya, the mandate of the Kenya National Dialogue and Reconciliation (KNDR) process was also derived from international involvement. The African Union Peace and Security Council mandated that John Kufuor, chair of the African Union (AU), meet with the principals in Kenya and propose a dialogue led by the AU Panel of Eminent African Personalities, chaired by Kofi Annan. Annan's stature internationally

and in Kenya—coupled with domestic pressure—was key to the parties' agreeing to come to the table.

In Senegal and Tunisia, the dialogues' mandates came from domestic authorities. On October 5, 2013, twenty-one Tunisian political parties, nearly all that were represented in the deadlocked National Constituent Assembly, assented to a dialogue by signing a roadmap presented to them by the Quartet, the group of civil society organizations that would facilitate the dialogue. In Senegal, the process was less formal: an initial statement by the opposition political coalition Front Siggil Senegal led to a group of civil society organizations picking up the call for dialogue and assuming the organizing role.

Both internationally and nationally driven mandates for national dialogues can be effective as long as they are credible enough to prospective participating stakeholder groups. Less formal mandates—such as those in Lebanon's 2006 national dialogue and Senegal's Assises Nationales (AN)—may benefit from being further codified and strengthened through formal documents created by a preparatory committee.

One temptation is to get caught up in the question of legal mandate and elite political negotiations. These are necessary and first-order considerations. At the same time, a legally sound or internationally recognized mandate does not automatically confer legitimacy in the eyes of citizens. Similarly, it does not guarantee that prospective delegates will be willing to participate. For example, despite a clear, negotiated, and agreed upon roadmap in Tunisia, youth surveyed in Tunis and three other cities perceived the dialogue as elite bargaining and divorced from their realities.¹ In Yemen, the National Dialogue Conference's mandate from the GCCCI called for broad inclusion and outlined an encompassing agenda. Despite this, efforts to bring substantial representation from the southern Hiraak movement failed. Many Hiraakis wanted nothing to do with the process whatever its professed mandate, while others argued that the promises of inclusion and

Although preparatory decisions are often treated as a technical matter, deft political strategy is critical to a dialogue’s success at this phase. Each decision can be an opportunity to build trust, strengthen communication and dialogue, and lay the foundation for subsequent phases.

reconciliation were clearly hollow, given the lack of follow-through on a set of confidence-building measures in advance of the NDC. Without early buy-in from all prospective stakeholders, a mandate—however formal and however strong the written guarantee is—may be meaningless to some. Without actions that demonstrate a commitment to meaningful inclusion, guarantees in an agreement will have little value.

During the establishment and mandate phase, two other considerations stand out in the case studies. First, early agreement on the ways that a national dialogue will relate to constitution-making or other peace processes will help manage expectations and focus the discussions. Negotiating whether dialogue outcomes are recommendations for consideration or binding decisions for a constitution-drafting committee shapes both the structure of discussions and the outcome documents. Second, incorporating commitments, mechanisms, and steps for after the dialogue into the early roadmap strengthens the likelihood of implementation.

Certain questions about a dialogue’s mandate and establishment are especially relevant:

- Are the necessary stakeholders involved in the negotiations on the mandate? If not, can they be brought in? When will there be opportunity for them to shape the agenda, structure, and other aspects in a meaningful way?
- Is the dialogue receiving its mandate from a credible organization or entity? Does the mandate come with the necessary dialogue support mechanisms?
- Does the mandate leverage the necessary international engagement and buffer from unconstructive interference?
- If the dialogue is internationally mandated, does it have enough credibility domestically to persuade the envisioned stakeholders to participate?

- Does the dialogue garner enough credibility among the general public? If not, can public participation opportunities help mitigate concerns?
- If a dialogue is mandated domestically, is it seen as neutral? If not, can this be mitigated by the selection of a preparatory committee or facilitation team?
- Does the mandate clarify the relationship of the national dialogue to other peace processes? If not, how and when will this be agreed?
- Does the roadmap include commitments and structures to ensure that the dialogue outcomes are carried forward and implemented?

Preparatory Phase

During the preparatory phase of a dialogue, important decisions are made about agenda, participant selection, facilitation, and structure. Beyond these immediate decisions, the overall approach—whether inclusive or selective, public or quiet, rushed or slow—sets the tone for the entire process. Although preparatory decisions are often treated as a technical matter, deft political strategy is critical to a dialogue’s success at this phase. Each decision can be an opportunity to build trust, strengthen communication and dialogue, and lay the foundation for subsequent phases.

In Tunisia, the dialogue was brought to fruition in shuttle diplomacy by the Quartet members, who mediated among the rival political parties to reach agreement on a roadmap. This process was similar to the preparation for Lebanon’s national dialogues, which was achieved in consultations conducted by the conveners (Nabih Berri in 2006 and Michel Sleiman in 2008–2012) with political party leaders and prospective participants to agree on an agenda and participant group.

In Kenya, the African Union Panel of Eminent African Personalities and the Secretariat worked to initiate the

KNDR on a short timetable constrained by the urgent need to calm the violence that had beset the country. Although the dialogue itself would only include eight participants—four representing each of the rival parties—the panel traveled the country and consulted widely with civil society in the week before the dialogue. This set a precedent for a strong connection with civil society throughout the dialogue. Ultimately, this, along with trust in mediator Kofi Annan, led to broader legitimacy in the eyes of the Kenyan public.

The preparations for Senegal’s Assises Nationales were undertaken by a committee of representatives from the civil society organizations. The committee had agreed to take the mantle of the dialogue from the opposition political parties that had originally proposed the Assises. Although the dialogue’s organizers pledged neutrality, the preparatory phase did not successfully build bridges with the sitting government. This set in motion a confrontation in which President Abdoulaye Wade and other senior members of the government boycotted the dialogue. As the case study notes, the government went so far as to intimidate prospective participants. Ample opportunities for the public to participate in the dialogue somewhat mitigated its contentious beginning, though the Assises continued to be associated with opposition politics.

In Yemen, the Technical Preparatory Committee of twenty members named by President Abdrabuh Mansour Hadi had a multifaceted mandate to determine the proportion of participants, decide on a structure, and set an agenda, among other tasks. The elite-dominated body did not undertake consultations with the general public as envisioned, and also failed to generate buy-in among the southern Hiraak movement. It faced significant structural barriers, including the absence of Hiraak in the original negotiations on the roadmap and the lack of coherence within the southern movement. And the preparatory committee—which was constituted and perceived as a “technical committee”—was simply not positioned to resolve these thorny issues, which

required further negotiation from more politically powerful actors. It was a missed opportunity at the outset of the NDC to treat these decisions as technical matters and delegate them to a committee, instead of addressing them through negotiations.

The Bangui Forum was distinct in that the dialogue’s main public participation was conducted during the preparatory phase in the form of popular consultations across the country. This drew wide enthusiasm; historically, Bangui elite rarely consulted with citizens outside the capital. The consultations also raised expectations that the input from communities would be reflected in the Bangui Forum and its outcomes. At the same time, the organizers kept lines of communication open with ex-Séléka and Anti-Balaka factions to sustain their commitment to the ceasefire and to participate in the forum and the accompanying negotiation on disarmament, demobilization, and reintegration (DDR).

To maximize legitimacy, conveners of a dialogue must delicately balance the need to make consistent (sometimes rapid) progress to demonstrate the value of joining (and the costs of remaining outside) with the need to allow diverse input on the dialogue. Establishing an inclusive preparatory committee, for example, can signal commitment to a participatory process. It can also, however, require significant time to negotiate the composition of the committee, including representation of the various political factions or constituent groups. A preparatory committee can rarely do this alone; political leaders across the spectrum play a critical role. They help foster buy-in among their constituencies; they may agree to concessions to get reluctant groups to the table; and they send signals of commitment, seriousness, and compromise to create an environment conducive to dialogue.

Establishing a preparatory committee can also open the door to delays and elite infighting. In the Central African Republic, the initial committee was disbanded as its members neared the conclusion of their work and were replaced by another committee. This

change sparked elite-level tensions that persisted throughout the dialogue. In Yemen, the preparatory committee struggled to make decisions on the quotas for delegates from different stakeholder groups. The negotiations elongated the ten-week timeline into a nine-month process. At each phase, difficult decisions need to be weighed to calibrate the value of building trust through dialogue with the risk of stasis. Mediation or other support may be needed to reach agreement. Ultimately, the task of determining the participant quotas was ceded to the UN Special Envoy for Yemen, Jamal Benomar, who worked closely with President Hadi.

Guiding questions for this phase vary with the context:

- What decisions and preparations need to be undertaken in this phase?
 - consultations or negotiations with key stakeholders?
 - agreement on the dialogue structure, delegates, public participation, and implementation?
 - logistics to convene conferences?
 - establishment of support structures for facilitation, technical expertise, administration, and finance?
 - fundraising?
- Will the preparations be undertaken by the conveners or organizers of the dialogue or by a designated preparatory committee? If by a preparatory committee, how will it be selected? How will those selected for that committee affect the credibility of the dialogue?
- Who will be consulted during the preparatory phase and by whom?
- Are significant, powerful groups boycotting the process that could potentially be brought on board through a preparatory phase? If so, what is the best way to do so? If not, what other points of the dialogue offer the greatest opportunities for inclusion?
- How will the recommendations that result from the dialogue be implemented following the dialogue's conclusion, and what entity will be responsible for implementation and oversight? Do these entities have adequate capacity to carry out these functions?

AGENDA

In current parlance, the term *national dialogue* often assumes a large number of delegates who tackle an extensive agenda, probing the root causes of conflict and suggesting solutions. These six case studies show a much broader variation. The reasons to structure a national dialogue around either a broad or a narrow agenda are compelling—which circles back to the need to match the agenda to the context and the purpose.

It is fair to expect, based on the case studies, that a wide agenda will result in myriad, broad recommendations. Reaching agreement and articulating these principles may be a necessary step in the conflict but requires additional work to define concrete follow-on actions. A more focused agenda has greater potential to result in recommendations that can be implemented but requires agreement on a clear, specific, and bounded problem set. In either scenario, it is critical that participants have a shared understanding of the agenda items. In every case, the agenda was a negotiated text and reflected early agreements (and disagreements) on the scope and content to be addressed.

In Tunisia, the national dialogue agenda included four concrete items, framed as discrete tasks, related to breaking the political deadlock. The dialogue was concluded promptly after reaching agreement on them. The path for each outcome to be implemented was clear, and indeed they all were—in the selection of a caretaker government, the drafting of a constitution then passed to the constituent assembly for approval, the formation of an electoral management body, and the setting of a timetable for elections. Although the Tunisian dialogue did not examine or offer solutions to the underlying conflict dynamics, it did decisively accomplish what it set out to do and succeeded in breaking political deadlock.

The Lebanese dialogues also had relatively short agendas of several items each. Some of the items, however, including relations with Syria in the 2006 dialogue and



Members of parliament and officials attend the ceremony for the adoption of the new constitution at the National Constituent Assembly in Tunis, Tunisia, on January 27, 2014. (Photo by Aimen Zine/AP)

national defense strategy in 2008–2012, were burdened with years of political polarization between two rival camps and heavy involvement from the region. As a result, reaching agreement on these items was challenging. Progress in both dialogues was also stymied by participants’ differing interpretations of the items. In 2008, Michel Sleiman had secured Hezbollah’s participation by proposing that the agenda would tackle Lebanon’s national defense strategy broadly and not focus on Hezbollah’s weapons. Other political factions believed that “Lebanon’s defense strategy” was merely code for Hezbollah’s weapons, and they became frustrated when Hezbollah and its allies in the dialogue refused to tackle this issue head-on.

In Kenya’s KNDR process, the list included “addressing long-term issues, including undertaking constitutional, legal and institutional reforms; land reform; tackling

poverty and inequality as well as combating regional development imbalances; tackling unemployment, particularly among the youth; consolidating national cohesion and unity; and addressing transparency, accountability and impunity.” This appearing as one item belied what was a massive undertaking and complex set of structural issues. Although the dialogue resulted in agreement on all four agenda items, implementation of this fourth item would be a complicated undertaking.

In Senegal’s AN, CAR’s 2015 Bangui Forum, and Yemen’s NDC, the dialogues had sweeping agendas that amounted to a near total reexamination of the state-society relationship. The agendas were discussed by thematic subcommittees that made dozens of recommendations on each of the items. Few of these recommendations were implemented. The outcomes from the Senegal process, however, continue

to be a touchstone in Senegalese politics, with several key recommendations being passed into law in 2017 and President Macky Sall facing criticism for not having acted on them earlier.

Yemen's NDC also had a sweeping agenda, based on the broad mandate afforded to the dialogue by the GCCI. Despite several attempts by the preparatory committee and political elites to narrow the scope, the parties could not reach consensus on what to remove or prioritize, and they kept the agenda loosely defined so it would be acceptable to all parties. This agenda—deliberated across nine thematic committees—resulted in some 1,800 recommendations, which were then passed to several implementing bodies, including the constitution-drafting committee. The work of this committee and others was upended by the escalating conflict with the Houthis, the northern faction that would overthrow the government and take over the capital in September 2014. Even if the implementation had not been thwarted by violence, it is unlikely that Yemen's cash-strapped newly elected government would have been able to follow through on the many recommendations.

It is noteworthy that several of the case studies included accountability, reconciliation, or transitional justice on the agenda. In some instances, agreement was reached on the establishment of commissions to investigate human rights violations and past abuses, to foster reconciliation, or to provide compensation to victims and survivors. Such commissions can advance important progress to acknowledge the past, address and redress injustices, and find ways for communities to live together. However, any narrative that a national dialogue will achieve reconciliation merits caution. Indeed, a national dialogue can help chart that process and even build trust but will not, in and of itself, achieve reconciliation.

Guiding questions for developing a national dialogue agenda by definition vary widely:

- Do those conducting the preparations have the credibility to set the agenda themselves? Or do they need to engage with a broader population to define the agenda items?
- If a broad agenda is warranted, has the agenda been developed in such a way that it addresses ongoing or prospective drivers of conflict meaningfully? If wide-ranging and complex agenda items are to be tackled, should the conveners or the preparatory committee manage expectations that resolution of these issues is likely to be an iterative process? Is there opportunity to develop more discrete agenda items for subcommittees or smaller groups that will result in concrete, implementable actions?
- Does the process design allow for adjustments to the agenda? If so, what is the procedure?
- If the agenda is more narrowly focused, does the dialogue have a reasonable chance of breaking deadlock around a specific issue or issues?
- Do all participating groups have a shared understanding of the meaning of each agenda item?

Delegates

The dialogues in this volume vary tremendously in the number of delegates, from eight in two four-person negotiating teams in Kenya's KNDR process to approximately eight hundred in the Bangui Forum. Like the Kenyan process, the Tunisian and Lebanese dialogues were elite-level negotiations that included a small number of delegates. There were fourteen in Lebanon's 2006 dialogue and nineteen in that of 2008–2012. In Tunisia, each of the twenty-one parties that agreed to participate was allowed to send two representatives, though not all representatives attended every session. In each of these cases, opportunities for civil society or external experts to present their perspectives to the delegates were limited, which led to the perception that the dialogues were elite affairs. The sustained efforts by the AU Panel of Eminent African Personalities to maintain connections to Kenyan civil society endeared the elite-level dialogue to the public far more than the processes for the Lebanon and Tunisia dialogues did.

Excluding Bozizé and Djotodia may well have been the right decision, given their roles in inciting earlier violence and their links to armed groups. However, organizers should anticipate that excluded groups might pursue parallel forums and seek to undermine the dialogue.

Yemen's large group of 565 participants included 120 delegates who were unaffiliated with political parties, including forty designated civil society representatives. In addition, 20 percent were under age forty and nearly 30 percent were women. The NDC was the first time that women, youth, and civil society negotiated alongside traditional elites on a large scale, which may pave the way for broader participation in the future.² Because the dialogue stretched over nine months and delegates were divided into thematic subcommittees, women, youth, and civil society representatives interacted directly with traditional elites.

CAR offers a cautionary tale about those who are excluded. When former Presidents Bozizé and Djotodia were forbidden from participating in the Bangui Forum, they participated in a parallel negotiating process in Nairobi from January through April of 2015, which also included some of the armed groups slated to participate in the Bangui Forum. The Nairobi process resulted in a peace agreement between the armed groups, which was promptly rejected by the CAR transitional government. Excluding Bozizé and Djotodia may well have been the right decision, given their roles in inciting earlier violence and their links to armed groups. However, organizers should anticipate that excluded groups might pursue parallel forums and seek to undermine the dialogue.

The length of Yemen's NDC contrasts with that in CAR, which lasted eight days and allowed delegates to speak for only three minutes each. In CAR, the preparatory bodies determined delegate quotas and allowed, among others, seventy-one representatives from political parties; twenty-six representatives from each of the two blocs of armed groups; the prefects from each of the country's sixteen prefectures; and one man, woman, and youth from each of the seventy-one

subprefectures. The opportunity to participate in a national-level forum, in addition to the opportunity to participate in the popular consultations that preceded the forum, was greeted with enthusiasm in a country where a small cadre of Bangui elite have traditionally been the decision-makers. Nonetheless, the short time afforded to each delegate calls into question whether participation in the forum was substantive or symbolic.

Senegal's Assises Nationales stands out in that it was open to anyone who wanted to join, at either the national level or the departmental level. Seventy organizations formally signed up to participate, but members of the public were also welcome at the plenary meetings or the committee meetings. This inclusive approach was either a luxury afforded by the relatively peaceful context or a necessity to overcome perceptions that the dialogue was driven by the opposition, or perhaps both. The organizers also intended to demonstrate Senegalese ownership and that the design was not influenced (or driven) by the international community.

Broadly inclusive dialogues open the door to incremental societal transformation when citizens gain space alongside the traditional decision-makers to discuss their country's future. Such processes require ample time; capacity building (particularly for those who may not have participated previously in a national forum); and logistical, facilitation, and mediation support for large numbers to participate in a meaningful way. The risk when numbers of delegates rise into the hundreds is that some of them will not have a chance to speak or to make their views understood. Decisions also need to be made about whether select sensitive issues are better negotiated in a larger or a smaller forum. Although much of the appeal of a national dialogue lies in the notion of making space at

the table to include those outside the traditional elite, having more delegates does not always mean better outcomes. Further, citizens and groups can be meaningfully informed, heard, and engaged even if they are not delegates. Decisions about inclusion should be undertaken strategically.

Guiding questions for the selection of participants may include the following:

- Who (which groups) must be included in the national dialogue for it to achieve its objectives?
- Does the exclusion of certain groups reflect the ongoing conflict? If so, can participation in the dialogue start the transformation toward more inclusive governance? How can the dialogue avoid reinforcing patterns of exclusion?
- How will delegates be selected? If a large national dialogue is envisioned, will quotas be allotted to different groups? If so, how will those quotas be determined?
- Will alternates be allowed if a specific delegate or delegates find themselves unable to attend a session?
- If some individuals or groups are participating in a national forum for the first time, what skills and knowledge do they bring to the table? What additional background information, preparation, or training do they need to be able to participate meaningfully?
- What is the level of trust (or mistrust) among those who will participate? Are confidence-building mechanisms needed to get people to a point where meaningful participation is possible? Is facilitation or mediation needed to bridge divides?
- What will the responsibilities of the delegates be during and after the process? For example, will they be responsible for communicating with their constituents or communities?

Public Participation

Opportunities for the broader public to participate were nonexistent in the Lebanese and Tunisian dialogues. The chairs of the Lebanese dialogues made regular statements to the media, however, which kept the public informed. To similar effect, many of

the Tunisian national dialogue sessions were broadcast on television. In Kenya, the public had no formal way to participate, although civil society did provide a line of communication to the AU Panel of Eminent African Personalities. At the behest of panel chair Kofi Annan and in hopes of quelling the violence, some members of the negotiating team and several MPs traveled to their home areas to calm the public. The KNDR Secretariat issued regular press statements and encouraged negotiating team members to refrain from interacting with the media on an individual basis.

In Yemen, the NDC and civil society organizations offered the public opportunities to participate. The Secretariat created a website that accepted public submissions, received public submissions by hand, and established a telephone line for government and non-government institutions to offer their input. Delegates planned to conduct public outreach in their towns, though security and logistics challenges meant that many of these public sessions were never realized. Civil society public education and outreach further complemented the official NDC outreach.

In CAR, the Bangui Forum popular consultations were noteworthy in at least two respects. First, they represented a rare opportunity for members of the largely rural public to contribute their perspectives to a national-level process. Second, the input offered during the consultations was indeed used to design the agenda and structure for the national forum that would occur several months later. Thirty facilitation teams traveled around the country, including to areas of active conflict, and succeeded in holding at least some consultations in all sixteen prefectures. By and large, the consultations were met with enthusiasm. The Bangui Forum offered no official follow-up at the local level, though some delegates held local meetings, and the UN peacekeeping mission MINUSCA used the forum as a basis for subsequent community programming and supported the efforts of some of the delegates to hold local meetings about their participation.



Men in Nairobi, Kenya, stay behind a gate as others protest in support of Kenyan opposition leader and presidential candidate Raila Odinga on August 9, 2017. (Photo by Brian Inganga/AP)

The popular consultations in CAR highlight an important challenge for public participation when a ceasefire has been signed and is being challenged. In areas controlled by armed groups, facilitation teams faced some tough negotiations to gain access and hold the consultations. The teams were deliberately large, at ten members, and diverse, on the assumption that the skeptical public and disruptive armed groups would be more likely to come around if they could identify with a member of the team. The teams were prepared and supported by the UN Development Programme (UNDP) and, while on mission, were under the supervision of prefecture-level authorities. The diverse membership and support of local authorities helped the teams gain access to all but a few locations.

The public consultation phase—however impressive in its reach—was perhaps a missed opportunity to gather armed group input on their grievances, specifically the

terms under which they would be willing to engage in DDR. This was laid bare during the May 2015 national forum, when the armed group negotiations on a DDR agreement were quickly undermined by one of the larger groups reneging shortly after signing. It has long been understood that the interests of armed group leaders differ from those of the rank and file and from their constituents. The popular consultations were a missed opportunity to better engage with the base—the constituents and the rank and file—as well as the leaders on their grievances and goals in regard to DDR. A stronger understanding of these needs could have provided a safety net when the agreement faltered.

As armed groups extended their reach across the country in the few years after the dialogue, unarmed citizens had few mechanisms to engage the CAR government. The popular consultations came to be

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seen as a one-off event rather than as the foundation for more sustained dialogue and consultation between communities and national leaders. Because the government focused on negotiating with and trying to contain armed groups, no individual or body was mandated as the connection point between the communities affected by violence or armed group activity. It was thus not surprising that there was little space for civic participation in negotiation of the peace agreement between the CAR government and 14 armed groups in Khartoum in February 2019.

The public participation opportunities afforded to the Senegalese public during the Assises Nationales distinguish themselves both in quality and quantity. The Assises created departmental steering committees in each of the nation's thirty-five departments and three diaspora communities, which in turn created thematic and cross-cutting committees at the departmental level. Those leading these departmental structures were mentored by the national scientific committee. The departmental committees conducted citizen consultations and relayed the feedback up to the national level for consideration. After the release of the comprehensive final recommendations document, Ndella Ndiaye, assistant to Amadou Mahtar Mbow, worked to organize dissemination events around the country. The Senegal case is a model not only in the broad availability of meaningful public participation opportunities but also in the follow-up. Too often the public is asked to offer opinions without learning whether those opinions will be taken into consideration and, if so, how.

An important caution for public participation in national dialogues—or other similar processes—is that participants should be informed about how their participation will shape outcomes. What can they expect or not expect from their participation? Absent this

communication, it is natural that some attendees would assume that their opinions would automatically be translated into decisions or actions. Civic education is needed about how public input will figure into further deliberations or final outcome documents. Public participation opportunities offered without due preparation of the participants can do more harm than good if participants' expectations are raised and then dashed, reducing trust in the process and furthering frustration among underserved or excluded groups.

Similarly, those conducting consultations or managing public participation should be prepared with approaches to engage with communities. Careful consideration is needed to design the questions and approach to the consultations. The teams conducting the consultations should also have an understanding of how local issues fit into a dialogue's national agenda. Questions such as "Do you support federalism?" are likely to elicit positions but unlikely to provide meaningful input that can shape national dialogue deliberations. Approaches to engage communities include technical preparations, such as creating forms to document citizen views and procuring equipment to record sessions. When a public participation program moves forward without a clear plan to properly document input and feed it into the larger dialogue, it is a poor use of time and resources. Preparations could also include running scenarios about how to manage difficult conversations; facilitate around polarizing issues; ensure inclusive participation; and navigate relationships with local authorities, including armed or opposition groups. Ideally, the national dialogue organizers or independent initiatives can provide civic education or information ahead of time.

Complementary—or even parallel—efforts led by civil society can be an important component of public participation in a national dialogue. Indeed, convening

a national dialogue can open space for nonformal dialogues. Conveners should resist the inclination to manage independent civic education or consultation initiatives. Their existence is a sign of success. The conveners or secretariat of a dialogue should consider how to open space for those initiatives to provide recommendations and input.

In deciding on and planning public participation opportunities around national dialogues, the following guiding questions are helpful:

- What will the strategy be to keep the public informed? Are there points at which media statements could be helpful or counterproductive? Will delegates be encouraged to make public statements themselves, or will all media be managed through a secretariat or a designated point of contact? (For larger dialogues, it may be impossible to prevent all delegates from interacting with the media.)
- Will the public have opportunities to participate directly (through consultations or making submissions, for example) as well as be informed? How will these opportunities be structured? Who will facilitate them? How will the public be prepared to participate?
- How will the input from the public participation opportunities be fed into the national deliberations, into the outcome documents, or into the implementation process? How will outcomes from the public participation and the national dialogue be communicated back to those who participated (that is, what is the feedback loop)?
- How will the teams conducting public participation negotiate access to communities, convene consultations, facilitate difficult conversations, document views, and establish credibility?
- How can informal initiatives or track 2 processes be given space to expand popular participation? How can these initiatives be fed into national deliberations or outcome documents?
- How can public participation during the dialogue be sustained in the implementation phase and carried into other political processes?

Structure and Decision-Making

As expected, smaller national dialogues are generally more streamlined than larger ones in their format for deliberations, modes of decision-making, and support structures. In both the Lebanese national dialogues, all conversations were held in plenary, and decisions were made by consensus. For the 2006 dialogue, the functions of a secretariat were undertaken by Nabih Berri's office, whereas the 2008–2012 process included a formal secretariat. The Common Space Initiative, a civil society organization aimed at providing a forum for more in-depth deliberations among senior political leaders, also provided informal support as the 2008–2012 dialogue progressed.

In Kenya, the structure was similarly straightforward, the two teams of four negotiators discussing all agenda items in plenary; the exception was for the third item (power-sharing), for which a legal working group was formed, with two negotiators from each party and one international expert. Kenya's KNDR process was supported by a secretariat under the direction of the AU Panel of Eminent African Personalities and made up of staff seconded from international organizations. Given the small group and the two-sided structure of the dialogue, all decisions were necessarily made with the agreement of both parties.

Tunisia's national dialogue was officially conducted in plenary format, though side conversations—either convened by the Quartet or held unofficially between party leaders—contributed significantly to the decisions ultimately taken within the dialogue. The secretariat functions were undertaken by the Quartet, much of this work falling to the UGTT (Tunisian General Labor Union), the largest of the four organizations. Although the roadmap stipulated that decisions would be taken by consensus, two of the four decisions (the timing of elections and the selection of prime minister) were taken on a majority basis.

The structure was more complex for the considerably larger dialogues in Yemen, Senegal, and CAR. In Yemen, the 565 delegates were divided into nine subcommittees that made recommendations and sent them to the

Sensitive topics may require unique or creative structures to engender agreement. Breaking a plenary group or a large subcommittee into a smaller subcommittee is a possible solution when reaching agreement on a particular sensitive issue in a large forum seems unlikely.

plenary for approval. At both levels, a 90 percent vote was required for a decision to be taken. When this was unattainable, thorny issues were sent to the Consensus Committee, which would deliberate on the range of views and propose a solution. The consensus proposal could then be passed by a 75 percent vote in plenary. Another rule effectively gave a veto to the larger parties: if all members of a delegation that comprised more than 5 percent of the delegates opposed a resolution, it would automatically be rejected. Logistics and overall management fell to the NDC Secretariat, which worked in close coordination with the UN special envoy's office.

Senegal's Assises Nationales also had thematic and cross-cutting committees, including eight general thematic committees and one special committee on the secessionist Casamance conflict. Among the cross-cutting committees, the scientific committee played an expert role similar to the Consensus Committee in Yemen's NDC, and helped thematic committees develop specific plans around their positions on the issues. Alongside the scientific committee, the logistics and communications committees carried out important functions for the day-to-day workings of the process. Decisions were taken by consensus in the AN; but when a committee could not reach resolution on an issue, the disagreement was noted, allowing participants to accede to a particular resolution but also record their differences of opinion.

The eight-hundred-person Bangui Forum would seem to have necessitated a complex structure, but the decision was taken that the short duration required a more straightforward architecture. Four thematic subcommittees deliberated their specific issues over a two-day period before returning to plenary to pass the recommendation document. In addition to the thematic committees, the dialogue structure comprised the Presidium, which included dialogue chair Professor Bathily and

the other senior leaders of the dialogue, as well as the Technical Secretariat, which managed logistics.

The cases in this volume follow the general pattern that smaller dialogues are primarily conducted in plenary, and that larger ones are by definition more complex structures that include subcommittees. Whatever the size of the dialogue, sensitive topics may require unique or creative structures to engender agreement. Breaking a plenary group or a large subcommittee into a smaller subcommittee is a possible solution when reaching agreement on a particular sensitive issue in a large forum seems unlikely. When Yemen's large national dialogue forum ground to a halt over the issue of southern secession and structure of the state, the North-South committee of sixteen individuals was formed to resolve the deadlock. The challenge for the committee was then securing buy-in for a compromise solution from the other NDC participants, among southern separatists, and more generally in southern Yemen. In the Bangui Forum, a side negotiation between the armed groups and CAR government was the preferred way to reach a DDR agreement that would have been unwieldy in the larger forum of several hundred delegates. Even in Kenya's small, closed KNDR process, the six delegates from two rival political parties were unable to reach an agreement on the contentious issue of power-sharing. Kofi Annan, chair of the AU panel that convened the dialogue, took the negotiations outside the dialogue and met directly with President Mwai Kibaki of the Party of National Unity and Raila Odinga of the Orange Democratic Movement to secure their agreement on a power-sharing arrangement.

National dialogues with more complexity need to be accompanied by commensurate support structures and feedback mechanisms. These can include systems and personnel to document deliberations and decisions, logistical support to secure venues and transport delegates

to concurrent conversations, and technical experts and facilitation or mediation support teams available to assist committees in their deliberations. These systems involve significant expense and staffing needs, which should be taken into account during the planning process.

Many options for the structure, decision-making, and support mechanisms for a national dialogue are possible. The following questions can help narrow these decisions:

- Given the number of anticipated delegates, what can realistically be achieved in plenary? What may require more substantive discussion in smaller groups or subcommittees?
- How will the subcommittees be structured in terms of themes, the format for discussion, the committee composition and leadership, and the expected outputs?
- How will recommendations produced by subcommittees be fed back to the plenary?
- In plenary or subcommittees, will decisions be taken by majority or consensus? How will disputes, non-agreement, or deadlock be resolved?
- Will delegates select the subcommittees that they attend, or will they be assigned?
- What, if any, role will be afforded to outside experts, facilitators, or mediators? How will they be selected?
- What support structures will be needed? How will they be staffed and funded?

Convening and Facilitation

The convening entity and the chair of a national dialogue are critical in determining how participant groups and the public will perceive and respond to the dialogue. In the best case, these can engender broader legitimacy and be the basis for positive momentum. Whether conveners are national or international, an individual or an organization, two of their most important roles—and indeed an early test of their effectiveness—are to get the right participants and groups to the table and to foster consensus on an agenda for the dialogue.

In Yemen, President Hadi played a strong formal and informal role, helping determine participants for the

NDC, chairing the Presidium, and hand-selecting members of a number of special committees that would ultimately be determinant in the NDC's outcomes and implementation. A common critique was that Hadi and his party exerted undue influence over what was envisioned as an impartial process. Additionally, UN Special Envoy Benomar's heavy involvement in the NDC was a source of controversy and added fuel to some Yemenis' critiques of the process as foreign driven.

Kenya's KNDR process, precipitated by the post-election violence in 2007 and 2008, was convened and entirely led by the AU Panel of Eminent African Personalities, chaired by Kofi Annan. In the polarized climate, in which defeated presidential candidate Raila Odinga contested Mwai Kibaki's declared victory, the principals were entrenched in their positions and initially unwilling to be brought to the table. International and domestic pressure, coupled with Annan's mediation, ultimately proved persuasive, and the parties agreed to the process. Annan and his fellow panel members maintained regular communication with Kenyan civil society, whose members in turn believed that their interests would be represented in the dialogue because of their ongoing communications with the panel. The African Union's regional credibility, coupled with Annan's profile, allowed the panel to convene the dialogue after several other national and international actors were unable to do so.

The convening of Tunisia's national dialogue was entirely distinct and demonstrates that a national actor who is viewed as credible by the majority of citizens—or who has the leverage to cajole unwilling parties to the table—can also be an effective convener. The backing of the UGTT base—which made up 5 percent of the Tunisian population and demonstrated early in the crisis the ability to mobilize for a nationwide strike—gave Houcine Abbasi, one of the lead mediators, the leverage that he needed to get all parties to the table. The UGTT, with its secularist agenda, skillfully used its role as mediator and its credible threat of another national strike or protest to push the dialogue forward. In Lebanon, Speaker

Table 2. Convening and Facilitation

National	Hybrid	International
<p>Tunisia Quartet of civil society organizations</p> <p>Senegal Respected Senegalese professionals and former UNESCO Director-General Amadou Mahtar Mbow</p> <p>Yemen President Abdrabuh Mansour Hadi</p> <p>Lebanon 2006: Speaker of Parliament Nabih Berri, 2008–2012: President Michel Sleiman</p>	<p>Central African Republic UN Special Representative for Central Africa Abdoulaye Bathily (Senegal) and national vice chairs</p>	<p>Kenya African Union Panel of Eminent African Personalities</p>

of Parliament Nabih Berri, a Shiite political leader and convener of the 2006 national dialogue, relied on his long-standing ties to other political parties to successfully assemble a small group of political party elites and secure their agreement on agenda items.

Senegal’s Assises Nationales were also convened by a national leader. The civil society organizers of the 2008–2009 process realized early on that they needed a widely respected chair to broaden the process and move it forward after opposition political leaders proposed it. They tapped respected Senegalese educator and former UNESCO Director-General Amadou Mahtar Mbow. Well into his eighties at the time of the process and beloved as a national figure, he harbored no political aspirations, which added to his credibility. However, even his credibility was not enough to bring all actors to the table in polarized Senegal: President Wade and

his close allies boycotted the AN from the outset. Still, the process gained momentum, perhaps because of its highly participatory and transparent approach.

CAR’s Bangui Forum was the third stage of the peace process, including a ceasefire (violated almost immediately) mediated in Brazzaville by Republic of the Congo President Denis Sassou Nguesso, with the backing of other regional leaders; the popular consultations across the country; and the national dialogue (Bangui Forum) itself. Responsibility for bringing the Bangui Forum to fruition was delegated to the transitional President Catherine Samba-Panza, who then convened preparatory bodies that selected Senegalese professor and UN Special Representative for Central Africa Abdoulaye Bathily as the chair of the dialogue. Bathily was supported by several Bangui Forum vice presidents who were CAR nationals. Although both the Yemen process and

the CAR process developed with the heavy influence and support of the international community, the hybrid international-national leadership in CAR managed to more successfully avoid the perception of political bias than the leaders of the Yemeni process did.

National dialogues convened and entirely led by national leaders can increase a sense of national ownership but also risk alienating groups who do not perceive the conveners to be neutral.

No national dialogue convener will ever be entirely credible in the eyes of all stakeholder groups and the public, though certainly some conveners are so polarizing or so biased that they do not meet the minimum standard of acceptability. Two practical lessons on conveners emerge from these case studies. First, a convener who lacks credibility or experience in one area can be complemented by a vice chair or a support committee that makes up for some of the perceived deficits. This may serve to bring on board some skeptical groups or individuals. Second, a convener does not need to be an individual. National dialogues can be convened by a group of people or organizations, such as Tunisia's Quartet. These two lessons encourage creative thinking in the selection of a convener or conveners.

In the six case studies in this volume, the method of facilitation is correlated less to the nature of the convener and more to the duration of the process. In CAR, the method of facilitation was quite formal. Participants in subcommittees were permitted only a few minutes to offer their perspectives, with no time for back-and-forth after each person spoke. Given that this ten-day dialogue included around eight hundred participants, this constraint is not surprising; no time would have been available for meaningful dialogue. Yemen's similarly large process, which at ten months was far longer than the Bangui Forum, did allow for more in-depth exchanges, though this varied somewhat by subcommittee. The organizers originally envisioned that professional facilitators—selected and trained by the Secretariat—would play an integral role in

the subcommittee deliberations. This was ultimately not the case; most subcommittee deliberations were led by the elected leaders of the subcommittee, who had the necessary clout to manage what was at times heated debate. In Senegal's Assises Nationales, which stretched nearly a year, elected committee leadership also facilitated the deliberations. Although facilitation varied somewhat among committees, it generally allowed for an open and substantive exchange, in keeping with the open and transparent process that allowed any interested individual to attend any committee meeting.

The smaller national dialogues, such as Lebanon's 2006 and 2008–2012 processes that included between fourteen and nineteen individuals, offered plentiful opportunities for in-depth debate and exchange. The facilitation style ranged from more to less formal, depending on the topic. In the KNDR, the bulk of which was facilitated by Kofi Annan, the small group of participants—a four-person negotiating team from each side and several support staff—was encouraged to debate the pros and cons of the various proposals before discussing them in plenary. To guard against the possibility of any of the parties renegeing on previous agreements, Annan reviewed the previous session's outcomes at the outset of each new session. He also used brackets to denote deadlocked issues, allowing the parties to move forward on other issues and then circle back to a contentious item as necessary. Tunisia's national dialogue was almost entirely facilitated by Houcine Abbasi. His style of facilitation during the formal sessions has been discussed less than his skill at pressuring the parties behind the scenes to make deals, which were then ratified in the formal sessions.

Guiding questions on convening and facilitating dialogues could include the following:

- Is there one individual or entity who is positioned to chair and facilitate the dialogue? Or will these roles be played either by different individuals or by a combination of individuals?
- How can the facilitator build influence and trust with the delegates and main groups?

- How will the conversations be guided? Will facilitation be informal or formal? Will mechanisms be in place to encourage equitable engagement among delegates?

International Involvement and Influence

International support for national dialogues varies tremendously from case to case. The 2006 Lebanese dialogue operated without any formal international support, and the process in 2008–2012 received little formal international support despite its mandate through the internationally brokered Doha Agreement. Although international support was minimal, the issues discussed in the dialogue were heavily influenced by the two main camps' differing positions on Syria's influence in Lebanon. The Common Space Initiative, a civil society project established alongside the national dialogue to facilitate further productive conversations, did receive international support in the form of technical assistance and financing.

In Tunisia, formal international involvement was minimal, but regional dynamics factored into the pressure that brought the dialogue to fruition. The Muslim Brotherhood's recent removal from power in Egypt prompted Tunisia's Ennahda to fear the same fate and likely hastened the party's agreeing to a dialogue. Neighboring Algeria quietly met with party leaders to encourage the dialogue, as did the United States and other diplomatic missions in Tunis. The Quartet served as the dialogue's convener and facilitator, and many of the logistics were managed through the individual Quartet organizations. International experts did provide technical assistance on drafting the constitution and other policy proposals, and diplomats continued to encourage from the sidelines, but the dialogue was largely perceived to be a Tunisian affair, albeit an elite one.

In Kenya, CAR, and Yemen, the national dialogues would not have come to fruition without heavy international involvement. AU Chairperson and Ghanaian President John Kufuor was able to persuade Mwai Kibaki and Raila Odinga to a dialogue chaired by Kofi

Annan and other eminent personalities after other international and domestic entities had failed to bring them to the table. The Secretariat reported directly to the panel and was staffed by experts seconded from international organizations. The panel also invited international experts to attend and offer input and proposals at several points in the negotiations.

Yemen's NDC and CAR's Bangui Forum received their mandates from their respective regions—the extraordinary ECCAS summit in N'Djamena, Chad, for CAR, and the GCCI for Yemen—and then went on to receive substantial international support. In CAR, this came in the form of training and advising from the UN Mediation Support Unit, technical support from UNDP for preparation and analyzing results during the popular consultation phase, and heavy logistical support from UN peacekeeping mission MINUSCA for all phases. In Yemen, thirty-nine donor governments known as the Friends of Yemen channeled their contributions through the UNDP-administered Yemen National Dialogue and Constitution Reform Trust. Other countries made direct contributions. The NDC's setting at the expensive Mövenpick Hotel coupled with participants' large per diem—made possible only by generous international funding—contributed to perceptions of the dialogue as woefully out of touch with the day-to-day reality of most Yemenis.

Senegal provides an interesting counterexample of a large and complex national dialogue process that was neither significantly influenced by regional dynamics nor heavily supported by the international community. In fact, the organizing committee was very deliberate about refusing international donor support out of concern that accepting such funds would only give President Wade further reason to discredit the dialogue. Significant contributions were sourced from affluent members of the diaspora and wealthy Senegalese. Other Senegalese citizens made modest contributions by purchasing “coupons” indicating their contributions. Although the Open Society Initiative for West Africa did support the preparation and dissemination of the final documents,

the dialogue maintained its identity as thoroughly Senegalese, especially given that eminent Senegalese Professor Mahtar Mbow was at its helm.

National conveners and prospective international supporters need to be cognizant of the trade-offs that accompany international support to a dialogue. In some cases, a national dialogue would simply not occur without the technical, logistical, and financial support brought to bear by international organizations. This may call into question whether national demand for the process is significant enough for it to be implemented. Regional and international diplomatic pressure can be instrumental in persuading otherwise reluctant parties to the table. Also, having international donors involved from the outset may pave the way for more international support to implement the recommendations that emerge from the dialogue. At the same time, in the eyes of some stakeholders, international involvement may reduce the credibility of the process.

In considering whether to seek or accept international support for a national dialogue, national actors should ask these guiding questions:

- Will international support for a national dialogue increase or decrease the credibility of the process? Will the reactions be different among different stakeholders?
- Would it be advantageous for international support actors to play some roles in the national dialogue? Should certain roles be left to national actors?
- If international support will be sought, what will the strategy be to manage coordination among the various support entities?

In considering whether and how to support a national dialogue, international partners should ask these questions:

- Who is driving the national dialogue? Is a “credible coalition” of actors—influential individuals both within and outside of the government—sufficiently and consistently buying into the dialogue so that the recommendations resulting from the process will stand a good chance of being implemented?

- What type of international support—diplomatic, logistical, expert, financial, or a combination—stands to have the most impact in moving the dialogue toward its objectives?
- What checks will international support actors put in place to ensure that the dialogue that they are supporting continues to meet the criteria for an inclusive and transparent process?
- When will support of the national dialogue conclude? How will this be communicated to national actors? Will there be any follow-up?
- How will international actors be held accountable for the support that they commit to provide, before, during, or after a national dialogue process? What will the impact be when international support concludes?
- Are there nonformal or track 2 processes international partners can support that will ultimately help advance the goals of the national dialogue or offer opportunities to engage groups skeptical of the formal process?

Results and Implementation

The results of national dialogues can include statements and recommendations, issued either periodically during the dialogue or at its conclusion; new laws and institutions; and decisions on governance processes such as constitution-making or elections. During the KNDR process, the agreements were sequenced, with the panel facilitating negotiations around each agenda item and issuing statements after each agreement was reached. The KNDR process led directly to a constitutional amendment on power-sharing (the National Accord and Reconciliation Act). It also directly created several institutions, including the Truth, Justice, and Reconciliation Commission; the Commission of Inquiry into Post Election Violence; and the Independent Review Committee, although these institutions went on to have a mixed record of impact. The KNDR also set the parameters for comprehensive constitutional review, which would be realized when the new constitution was promulgated in August 2009.

The pathways to implementation in the KNDR were very clear in some respects, with Annan effectively marshaling the support of Parliament and other Kenyan government agencies to ensure the passage of the power-sharing act and the creation of several new institutions. Although the constitutional process did experience some delays, the roadmap was generally followed and resulted in a new constitution. The implementation of the fourth agenda item, on the broader drivers of conflict and inequality, has led to several government programs and institutions but not to the broad transformation many Kenyans desire. Kenyans are aware that inequality is ever present and that the power structures have changed little since the conclusion of the KNDR. In terms of official support for implementation, the KNDR put in place a Coordination and Liaison Office that would take over the role of the panel to support the implementation and follow-on of the dialogue. The Kenyan firm South Consulting received support from the Open Society Initiative for East Africa to monitor the implementation of the agreements.

Lebanon's national dialogues resulted in several agreements, including those from the 2006 dialogue on armed Palestinian groups, Lebanese-Syria relations, and demarcating the Lebanese-Syria border and disputed Shebaa farmlands. None of these agreements were implemented because conflict with Israel broke out in July 2006. The 2008–2012 national dialogue led to only one agreement, the Baabda Declaration, which established the Lebanese noninterference in regional affairs, among other items, but was not fully implemented. Although ongoing conflict has complicated the implementation of agreements from Lebanon's national dialogues, this process has also been made more difficult by the lack of any well-established pathway for the dialogue agreements to be transformed into policy or law.

Tunisia's national dialogue accomplished the goals set out in the roadmap the parties signed before the dialogue, although over a longer period than originally

envisioned. The dialogue selected Mehdi Jomaa as interim prime minister, agreed on a new constitution, reverted it to the National Constituent Assembly for passage, set a timetable for elections, and created an electoral management body. These outcomes were possible because the organizers of the dialogue allowed majoritarian votes to select the prime minister and the timetable for elections. It is a testament to the dialogue's overall credibility—at least within the political elite—that the outcomes held even though not all delegates agreed to them. The Quartet was honored with the Nobel Peace Prize of 2015 for its success in breaking political deadlock and steering Tunisia away from crisis. The dialogue largely mitigated the potential for mass political violence, but otherwise did not bring about appreciable changes in the daily lives of Tunisian citizens. This was as intended; the dialogue was designed as a focused deadlock-breaking mechanism and was highly successful as such.

The implementation of the larger national dialogues highlighted in this volume—Senegal's Assises Nationales, Yemen's National Dialogue Conference, and CAR's Bangui Forum—is far more complex and difficult to track. Each of these dialogues issued dozens or hundreds of recommendations in complex outcome documents. Despite a theoretically clear path into the constitution-making process for some of the 1,800 recommendations that emerged from Yemen's NDC, this was certainly not the case for all of them. The dialogue concluded without the buy-in of two important factions, the Houthis and Hiraak. This failure was a contributing factor to mounting instability as the dialogue concluded, which led to a civil war the following year, sidelining the process of drafting the constitution and implementing the NDC more broadly.

CAR's national dialogue concluded with the eight hundred delegates adopting in plenary the Republican Pact for Peace. Given the short eight-day time frame for the forum, this outcome document did not adequately reflect the deliberations of the subcommittees. Nonetheless, its principles were



UN peacekeeping forces from Rwanda patrol the streets of Bangui, Central African Republic, on February 12, 2016. (Photo by Jerome Delay/AP)

broadly embraced by many sectors of society, and it continues to be a touchstone in national politics despite remaining largely unimplemented. In Bangui, policymakers were frustrated about the inaction of the official monitoring committee and hold that President Faustin-Archange Touadéra did not throw his weight behind the implementation of the agreement.

In Senegal, the dialogue began and concluded without the support of the sitting government. The Charter for Democratic Governance that was adopted, however, proved to be a galvanizing force for the political opposition that would successfully take power two years later. It also provided the basis for the work of the National Commission on the Reform of Institutions convened by President Macky Sall and for many of the fifteen constitutional amendments that were approved by referendum in 2016.

Several years after the resurgence of national dialogues in 2013 and 2014, a hard look at the track record of implementation on these processes is merited. In most cases, implementation has been slow, hampered by the realities of governing, financial constraints, and the absence of processes or structures to further implementation. At the same time, in some cases, the outcome documents have come to serve as reference points in politics, even several years later. Organizers of national dialogues should have a clear vision about whether dialogue outcomes will be implemented in the near term, or whether they expect the dialogue to shape a national vision, though this may not be something that is discussed publicly. Clarity on this at the outset will help national dialogue practitioners put in place the structures that will facilitate the desired level of implementation. It will also further decisions on the national dialogue structure; for example,

if concrete, immediate implementation is expected, organizers may opt for a more limited agenda.

Guiding questions around the implementation of national dialogue might include the following:

- Are ongoing monitoring, facilitation, and mediation needed? What is the role of international and insider facilitators?
- Who will provide political leadership to support and protect the monitoring committee and to advance implementation?
- Will a committee be formed to track implementation, and will it have the necessary logistical and financial support to carry out its duties while remaining politically neutral?
- Will the recommendations emerging from the dialogue be financially feasible for the sitting government, and if not, can this deficit be met by international donors?

Areas for Further Exploration and Concluding Thoughts

Although diverse, the national dialogues described in these six case studies are similar in that each has a clear beginning, middle, and end. A true national-level dialogue, however, and the transformation it catalyzes, is more likely to occur outside the formal, time-bound processes we have come to know as national dialogues. In fact, sustainable political transformation requires multiple reinforcing processes over an extended period. Recent transitions may indeed hint at the fact that a national dialogue—as the term is used in this report and other recent literature—is unlikely to be enough to result in sustainable transformation.

In some instances, the conditions are not ripe for a national dialogue or a series of national processes building toward political transformation. Ripeness varies between contexts, but a key consideration is an enabling environment in terms of both physical security and political climate. When participants feel that they risk physical harm or great damage to their reputations

by participating, a national dialogue is not likely to garner wide enough participation to be meaningful. Another signal of ripeness can be an emerging consensus around the agenda, a sign that the key parties at least agree on what is wrong, what needs to be discussed, and what needs to be addressed. Yet another positive signal is that most parties feel that they stand to benefit from the outcomes of a dialogue—either in specific actionable reforms or a general desire for the greater stability the process might engender—and that they lose more from staying out of it. In all cases, the perceptions of the parties are central.

When the context is not ripe for national dialogue, smaller-scale activities can lead to progress on a subset of issues or help identify the preconditions for a national dialogue. Such activities can take a variety of forms. When it is possible to address local conflict, community-based dialogues can be effective. When armed or opposition groups remain outside a national process, mediation, sustained dialogue, or shuttle diplomacy may be needed to mitigate the impact of potential spoilers. When community security is a priority and a complex set of security providers exists, bringing together community members with the security and justice sectors may open the door to increased trust and spark national-level discussions. And when space for an official effort is not available, informal processes sponsored by national nongovernmental organizations can start to build momentum, establish relationships, and forge an agenda.³

In other instances, the creation of a new institution or institutions—governmental or nongovernmental—is more appropriate than a time-bound national dialogue. In the case of pockets of intermittent or low-intensity conflict across a country, particularly related to resource issues, it may be more effective to create local peacebuilding committees that respond to these conflicts on an ongoing basis. At the same time, a national dialogue may also result in recommendations about the creation of additional permanent institutions to help a country deal with ongoing conflict.

Further research is needed to foster improved understanding of several aspects of national dialogue, including the engagement of security actors; best practices in process facilitation, mediation, and preprocess training; optimal structures to provide technical and logistical support to a process; and the relationship between national dialogues and other forms of citizen engagement, including social movements and popular uprisings.

Treating national dialogues as an entirely separate genre, as the research and practitioner community has largely done over the past several years, has both advantages and disadvantages. The intense study of national dialogues has generated enthusiasm and action around the idea of inclusive, nationally owned processes. At the same time, some unrealistic thinking has entered the narrative about the potential of these processes as well as blind spots about how they can be misused. Because several cases of this misuse have occurred over the past several years, practitioners and researchers have become more cautious in their thinking.

The very real risks that a national dialogue can be deliberately misused or veer off course despite the best of intentions highlight the need for benchmarks to determine whether a dialogue is on track. Such benchmarks can be used by the international community in considering whether to offer technical, financial, or diplomatic support to a dialogue. They may also be useful to domestic groups as they consider whether to participate or offer other support. This is a promising area of future research, particularly because insights can be drawn from policymakers and citizens who have seen dialogues be misused or go off track in their own countries.

Treating national dialogues as a separate field of study—independent of how similar or dissimilar these processes are to one another—also has the disadvantage of obscuring similarities to other types of processes from which important lessons can be learned. By looking at national dialogues alongside the fields of mediation, track 2 dialogues, and citizen dialogues, practitioners can draw important lessons that are otherwise eclipsed when national dialogues are treated as a separate, rigid category.

Fostering sustainable peace is a long-term, generational, complex undertaking. National dialogues can be a part of that path—by resolving a particular conflict that challenges progress toward peace, setting a roadmap for more transformative change, broadening the inclusion of people who have a voice in narrating the experience of the past and vision of the future, or beginning to build a commitment and the infrastructures that regularize dialogue as a way to resolve conflict. A national dialogue may achieve one or more of these objectives, and strengthening practice toward such objectives holds promise.

This promise, however, should not distract us from other approaches that may be equally or more effective—or from the tremendous efforts that will be needed after a national dialogue to implement the outcomes or innovate new approaches to continue to advance toward sustainable peace. It would be unrealistic to suggest that a discrete process can do it all, but national dialogues can be a powerful tool in the peacebuilding toolbox. Their potential is maximized when they are considered as complements to other tools, crafting a tailored architecture of transformation processes that includes national dialogues as one component of a greater journey toward sustainable peace.

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Notes

INTRODUCTION

1. The National Dialogue Conference was slated to be held in late March. Given the delayed formation of the unity government and the subsequent COVID-19 pandemic, it was postponed.
2. Pearl T. Robinson, “The National Conference Phenomenon in Francophone Africa,” *Comparative Studies in Society and History* 36, no. 3 (July 1994): 575–610.
3. Thania Paffenholz, Anne Zachariassen, and Cindy Helfer, “What Makes or Breaks National Dialogues,” Inclusive Peace & Transition Initiative, October 2017, <https://peacemaker.un.org/sites/peacemaker.un.org/files/IPTI-Report-What-Makes-Breaks-National-Dialogues.pdf>.

CENTRAL AFRICAN REPUBLIC

This case study was compiled based on desk research and key informant interviews conducted remotely and in Bangui in April 2016, September 2016, March 2017, June 2017, and August 2018. With many thanks to USIP’s Bangui-based team, Fiona Mangan and Igor Acko, for their support and expertise.

1. Ange-Félix Patassé has been widely criticized for asking Jean-Pierre Bemba of the Democratic Republic of the Congo (DRC) to send his troops into CAR during this time to protect Patassé from Bozizé’s rebels. Bemba was an opposition leader in the DRC as well as the head of the rebel group Movement for the Liberation of Congo. In 2016, the International Criminal Court convicted Bemba of crimes against humanity and war crimes for actions by troops under his command in CAR from 2002 to 2003, for which he was given an eighteen-year prison sentence. However, on June 8, 2018, the Appeals Chamber of the ICC acquitted Bemba of both charges.
2. Stephen Smith, “CAR’s History,” in *Making Sense of the Central African Republic*, ed. Tatiana Carayannis and Louisa Lombard (London: Zed Books, 2015), 36–37.
3. UN Security Council, “On the Situation in the Central African Republic,” Report S/2003/661, June 20, 2003, 6, www.securitycouncilreport.org/un-documents/document/car-s2003661.php.
4. UN Security Council, “On the Situation in the Central African Republic,” Report S/2003/1209, December 29, 2003, 2, www.securitycouncilreport.org/un-documents/document/CAR-S20031209.php.
5. Centre for Humanitarian Dialogue, “Rapport final du dialogue politique inclusif,” December 20, 2008, 2, www.hdcentre.org/wp-content/uploads/2016/07/RAPPORT-FINAL-DU-DIALOGUE-POLITIQUE-INCLUSIF-_PART-I_20-Dec-2008.pdf.
6. Former Presidents Ange-Felix Patassé and André Kolingba and then President François Bozizé were in charge of this committee, which did not include civilians or members of armed groups. See Siân Herbert, Nathalia Dukhan, and Marielle Debos, “State Fragility in the Central African Republic: What Prompted the 2013 Coup?,” *Rapid Literature Review*, GSDRC, University of Birmingham, July 2013, 13, www.gsdr.org/docs/open/car_gsdr2013.pdf.
7. This was in protest over the appointment of their president, Joseph Binguimalet, whom they claimed was partial to Bozizé.
8. Sango for “Work, Only Work.” The party was built around support for Bozizé.
9. Some have claimed that these elections were completely fraudulent. They were challenged by members of the opposition, but the Constitutional Council opted simply to revise the outcome from 66 percent in favor of Bozizé to 64 percent. Freedom House reports that these elections were free and saw less intimidation by security guards than previous elections, but noted that there were accusations of fictitious polling stations, problems with the electoral roles, and issues with voter numbers. See Smith, “CAR’s History,” 42.
10. The Mission of the Economic Community of Central African States for the Consolidation of Peace in the Central African Republic (MICOPAX) was deployed to CAR in 2008.
11. Smith, “CAR’s History,” 43.
12. Known as MISCA, the African-led International Support Mission in Central Africa, which had taken over authority from MICOPAX.
13. Héléne Sallon, “Centrafrique: l’opération ‘Sangaris’ entre dans sa 2e phase,” *Le Monde*, February 12, 2014, www.lemonde.fr/afrique/article/2014/02/12/l-operation-sangaris-dans-le-chaos-centrafricain_4363404_3212.html; and Amnesty International, “Central African Republic: Ethnic Cleansing and Sectarian Killings,” February 12, 2014, www.amnesty.org/en/latest/news/2014/02/central-african-republic-ethnic-cleansing-sectarian-violence.

14. Foreign fighters have frequently joined the ranks of the Séléka and other rebel groups from Chad and Sudan. The violence in this case is not related to ideology but rather to ethno-religious identity and an association of the Muslim community with these fighters. It is also linked to Muslims' minority status and social exclusion.
15. ECCAS established the ICG-CAR, which held its first meeting in May 2013 in Brazzaville. Made up of regional organizations, the AU, the UN, and bilateral partners of CAR, the group continued to meet regularly during the crisis. During its fifth meeting on July 7, 2014, the ICG-CAR called for a forum for national reconciliation.
16. African Union Peace and Security, "Conclusions of 5th Meeting of the International Contact Group on the Central African Republic (ICG-CAR)," July 22, 2014, <http://www.peaceau.org/en/article/conclusions-of-5th-meeting-of-the-international-contact-group-on-the-central-african-republic-icg-car>.
17. The armed groups that signed included the Front Populaire pour la Renaissance de la Centrafrique (FPRC), the Anti-Balaka, the Front Démocratique du Peuple Centrafricain (FDPC), Révolution et Justice (RJ), the Mouvement de Libération Centrafricaine pour la Justice (MLCJ), the Union des Forces Républicaines (UFR), and the Union des Forces Républiques Fondamentales (UFRF).
18. One of the proponents of partition was Nouredine Adam, the leader of the FPRC, who would continue to push on this issue at several other points in the crisis, including just before the first round of elections in 2015.
19. UN Security Council, "On the situation in the Central African Republic," Report S/2014/857, November 28, 2014, [/www.securitycouncilreport.org/un-documents/document/s2014857.php](http://www.securitycouncilreport.org/un-documents/document/s2014857.php).
20. The Preparatory Committee was reportedly disbanded in part due to the government's disapproval of the content presented in the committee's report of the public consultations.
21. These groups are the FPRC, RPRC, UFRF, Séléka Rénovée, MLCJ, FDPC, Anti-Balaka, Union pour la paix en Centrafrique, RJ, and UFR. Eventually, fourteen armed groups would be recognized, most of them diverging from these parent groups through factionalization. These included two branches of the Anti-Balaka (Mokom and Ngaïssona), two branches of RJ (Belanga and Sayo), and the ex-Séléka faction the Mouvement Patriotique pour le Centrafrique. The final group, Retour, Réclamation et Réhabilitation (3R), was added to the DDR process in 2017.
22. UN Security Council, "On the situation in the Central African Republic," Report S/2015/576, July 29, 2015, <https://undocs.org/pdf?symbol=en/s/2015/576>. Some sources indicate that the FPRC did not sign the agreement, but the official document includes a signature. Possible reasons for this discrepancy, including a lack of communication or authority for signature, are numerous.
23. "Pacte républicain pour la paix, la réconciliation nationale et la reconstruction en République centrafricaine," 5, <https://www.peaceagreements.org/viewdocument/1476>.
24. Due in part to the changing number of participants and the informal way in which some participated, many of the figures included about the numbers and percentages reflect either approximations or intended representation.
25. UN Security Council, "On the Central African Republic," S/2015/576, 1.
26. Sources differ as to the percentage of mayors who attended, as well as the total number of communes. Most seem to agree that nearly all participated.
27. Ministère de la Réconciliation nationale, du Dialogue politique et de la Promotion de la Culture civique "Rapport des consultations populaires à la base en République Centrafricaine," Bangui, March 2015, 37, <https://jfaki.blog/wp-content/uploads/2016/05/rapport-consultations-populaires.pdf>.
28. Reuters, "Former Central African Presidents Sign Peace Deal in Kenya," April 14, 2015, www.reuters.com/article/us-centralafrica-politics-kenya/former-central-african-presidents-sign-peace-deal-in-kenya-idUSKBN0N52AG20150414.
29. As noted earlier, partition was discussed formally in the Brazzaville Forum and was also threatened in the lead-up to the 2015 elections. This push has come from ex-Séléka factions.
30. As noted, ten groups originally signed, but due to factionalization and the emergence of a new group in 2015, the number eventually expanded to fourteen.
31. UN Security Council, "Annexe: Accord sur les principes de désarmement démobilisation réintégration et rapatriement et d'intégration (DDRR) dans les corps en uniforme de l'Etat Centrafricain entre le Gouvernement de Transition et les groupes armés," S/2015/344, May 10, 2015, https://peacemaker.un.org/sites/peacemaker.un.org/files/CF_150510_AgreementDDRRepatriationIntegration%28fr%29.pdf.
32. UNifeed, "CAR / Ceremony and Protests," May 12, 2015,
33. The committee is located under the prime minister's office but still reports to the Steering Committee.
34. Government of Central African Republic, Decree no. 15201, May 23, 2015.

KENYA

This case study was compiled based on desk research, including primary source documents, published studies, and media reports.

1. UN Office of the High Commissioner for Human Rights (OHCHR), "Report from OHCHR Fact-finding Mission to Kenya, 6-28 February 2008," Geneva, 2008, www.ohchr.org/documents/press/ohchrkenyareport.pdf.
2. Republic of Kenya, "Report of the Commission of Inquiry into the Post Election Violence" (Nairobi: Government Printer, 2008).
3. OHCHR, "Report."
4. In a meeting with the president, Kenya Private Sector Alliance intimated that its members would withhold taxes if the negotiations fail to start.
5. Franzisca Zanker, "Legitimate Representation in Mediation Processes: Civil Society Involvement in Liberia and Kenya," *Mediation Arguments* 1 (2013): 1–20.
6. George Wachira with Arendshorst Thomas and Charles Simon, "Citizens in Action: Making Peace in the Post-Election Crisis in Kenya – 2008," NPI-Africa, January 2010.
7. Stephen Brown, "Donor Responses to the 2008 Kenyan Crisis: Finally Getting It Right?" *Journal of Contemporary African Studies* 27, no. 3 (2009): 1–15.
8. Karuti Kanyinga and Sophie Phillipa Rendall Walker, "Building a Political Settlement: The International Approach to Kenya's 2008 Post-Election Crisis," *Stability: International Journal of Security & Development* 2, no. 3 (2013).
9. Elizabeth Lindenmayer and Kaye Josie, "A Choice for Peace? The Story of Forty-One Days of Mediation in Kenya," International Peace Institute, August 2009; Kofi Annan with Nader Mousavizadeh, *Interventions: A Life in War and Peace* (London: Penguin Group, 2012).
10. Martin Griffiths, "The Prisoner for Peace: An Interview with Kofi Annan," Centre for Humanitarian Dialogue, May 9, 2008.
11. Office of the AU Panel of Eminent African Personalities, *Back from the Brink: The 2008 Mediation Process and Reforms in Kenya* (Addis Ababa: African Union, 2014).
12. Office of the AU Panel, *Back from the Brink*.
13. Brown, "Donor Responses"; and Lindenmayer and Josie, "A Choice for Peace?"
14. Office of the AU Panel, *Back from the Brink*.
15. Kanyinga and Walker, "Building a Political Settlement."
16. Office of the AU Panel, *Back from the Brink*.
17. Truth, Justice, and Reconciliation Commission, "KNDR Documents: Agenda Item Four, Draft Report on Status of Implementation," 2009, 25–27, <https://digitalcommons.law.seattleu.edu/tjrc-pre/1>.
18. Office of the AU Panel, *Back from the Brink*, 79–80.
19. Office of the AU Panel, *Back from the Brink*, 70–71.
20. Claire Elder, Susan Stigant, and Jonas Claes, "Elections and Violent Conflict in Kenya: Making Prevention Stick," *Peaceworks* no. 101, United States Institute of Peace, October 2014.

LEBANON

The research for this case study included desk research and key informant interviews by the author and his research assistant, carried out in 2014 and 2015.

1. This ratio is based on demographic information from the 1932 census.
2. Estimates of the death toll range from 150,000 to 250,000.
3. These included an almost two-year process from 1976 to 1977 by Syria's then Foreign Minister Abdel Halim Khaddam.
4. Former President Suleiman Frangieh, a pro-Syrian who was initially opposed to the agreement, agreed to accept it conditionally after going to Damascus.
5. The conference was boycotted by Syrian Prime Minister Michel Aoun but satisfied most of Syria's demands.
6. For the full text, see "The Taif Agreement," November 4, 1989, www.un.int/lebanon/sites/www.un.int/files/Lebanon/the_taif_agreement_english_version_.pdf.
7. The three main Christian leaders were Michel Aoun and Amine Gemayel, who were living in exile, and the detained leader of the Lebanese Forces, Samir Geagea.
8. The international Special Tribunal for Lebanon was mandated by UN Security Council Resolution 1757 on May 30, 2007.
9. The Shebaa farmlands is a disputed territory located between Syria and Lebanon and occupied by Israel. This occupation was the main justification for Hezbollah to maintain its arsenal after the Israeli army withdrew from southern Lebanon in 2000.
10. Michel Aoun was elected president of the republic in 2016.

11. During his March 2006 visit to Washington, Walid Jumblatt was replaced in the dialogue by fellow Druze politician and Minister of Information Ghazi Aridi.
12. Berri was leader of the Amal movement and militia, one of the most influential Shia militias during the Lebanese Civil War (1975–90).
13. Ziyad Baroud and Kamel Mehanna were the civil society leaders represented at La Celle Saint-Cloud.
14. The cabinet was considered by some to be unconstitutional after the resignation of the Shiite members. The decrees called for dismissing a pro-Hezbollah security official and dismantling Hezbollah's private communication network. The Christian allies were the Free Patriotic Movement led by Michel Aoun; the Marada Movement led by Sleiman Frangieh; the Armenian bloc; and other, smaller formations.
15. The National Unity Government comprised sixteen pro-Hariri ministers, eleven pro-Hezbollah ministers, and three presidential appointees.
16. *Ya Libnan*, "Suleiman Faces Strong Opposition over Dialogue Committee Issues," March 1, 2010, <http://yalibnan.com/2010/03/01/suleiman-faces-strong-opposition-over-dialogue-committee-issues>.
17. Hannes Siebert, "National Peace and Dialogue Structures: Strengthening the Immune System from Within Instead of Prescribing Antibiotics," Berghof Dialogue Handbook Series no. 10 (Berlin: Berghof Foundation, 2012), www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue10_siebert_comm.pdf.

SENEGAL

This case study is based on the six-month research project of Gaston Berger University (Saint-Louis, Senegal) on the Assises Nationales process and the Senegalese public's perceptions of the process, which included desk research, key informant interviews, and focus groups and surveys in Dakar, Saint-Louis, Diourbel, Kaolack, and Casamance in 2015.

1. Catherine Lena Kelly, "Senegal: What Will Turnover Bring?" *Journal of Democracy* 23, no. 3 (July 2012), 121–31.
2. Kelly, "Senegal."
3. "Pourquoi les Assises Nationales?," Assises Nationales au Senegal, <http://assisesnationales.org/index.php?ans=his&his=231168>.
4. Amadou Mahtar Mbow, "Intervention de Amadou Mahtar Mbow à L'ouverture des Assises Nationales," June 1, 2018, <http://assisesnationales.org/?ans=his&his=231169>.
5. Amadou Mahtar Mbow, "Charte de Gouvernance Democratique," May 24, 2009, Section III (Modele de Gouvernance), <http://assisesnationales.org/?ans=doc&doc=32>.
6. Mbow, "Charte de Gouvernance Democratique," Section X.
7. Only three of the forty-five departments did not hold dissemination meetings to share the outcomes of the process with people who contributed to it because of the country's focus on presidential elections in 2012.
8. Gaston Berger University focus group research, July 2015.
9. "Sénégal: ce qui changerait avec la révision de la Constitution," *JeuneAfrique.com* (blog), January 26, 2016, www.jeuneafrique.com/mag/294180/politique/senegal-changerait-revision-de-constitution.
10. Présidence de la republique, Décret no. 2016-306 du 29 février 2016, *Journal officiel de la république du Senegal*, www.jo.gouv.sn/spip.php?article10657.
11. Gaston Berger University focus group research, July 2015.

TUNISIA

This report draws on desk research (including numerous press reports and several published studies) and on interviews the author undertook with Ali Laarayedh and Rachid Ghannouchi in September 2015 and Houcine Abassi in October 2015. The principle published work consulted was Hatem M'rad et al., *Le Dialogue National en Tunisie* (Tunis: Nirvana Press, 2015). The author also consulted *The Constitution-Making Process in Tunisia: Final Report* (Atlanta, GA: Jimmy Carter Center, 2014).

1. Hatem M'rad et al., *Le Dialogue National en Tunisie* (Tunis: Nirvana Press, 2015), 34.
2. "Congrès du dialogue: Retrait d'Ennandha suite aux propos de Lakhar," Gnet, May 16, 2013, www.gnet.tn/actualites-nationales/tunisie/congres-du-dialogue-retrait-dennandha-suite-aux-propos-de-lakhar/id-menu-958.html.
3. Tarek Amara, "New Tunisian protest movement takes cue from Egypt," Reuters, July 3, 2013, www.reuters.com/article/us-tunisia-opposition/new-tunisian-protest-movement-takes-cue-from-egypt-idUSBRE9620ZC20130703.
4. Ali Laarayedh, interview, June 11, 2015, Tunis.
5. M'rad et al., *Le Dialogue National*, 45.
6. M'rad et al., *Le Dialogue National*, 70–71, 74.
7. M'rad et al., *Le Dialogue National*, 71.
8. M'rad et al., *Le Dialogue National*, 64–65.

9. M'rad et al., *Le Dialogue National*, 63–65.
10. M'rad et al., *Le Dialogue National*, 67.
11. Christopher Thornton, “The Rocky Path from Elections to a New Constitution in Tunisia,” Oslo Forum Briefing Pack (Oslo: Norwegian Ministry of Foreign Affairs and HD Centre, 2014), 9.
12. Tunis Afrique Presse, “Tunisia: Ben Jaafar - Tunisian Constitution Reconciled Electoral and Consensual Legitimacy,” AllAfrica, March 22, 2014, <https://allafrica.com/stories/201403241390.html>.
13. The Carter Center, “The Carter Center Welcomes Strengthened Rights Guarantees in Tunisia’s New Constitution; Urges Immediate Steps for Its Implementation,” April 10, 2014, 7–8, www.cartercenter.org/resources/pdfs/news/pr/tunisia-full-statement-041014.pdf.
14. Organization for Security and Co-operation in Europe (OSCE), “Tunisian Quartet in Conversation,” *Security Community* no. 1 (2016), www.osce.org/magazine/248471.
15. M'rad et al., *Le Dialogue National*, 107.
16. OSCE, “Tunisian Quartet in Conversation.”
17. M'rad et al., *Le Dialogue National*, 69–70.
18. Monica Marks, “Tunisia’s Transition Continues,” *Foreign Policy*, December 16, 2013, <http://foreignpolicy.com/2013/12/16/tunisia-transition-continues>.
19. M'rad et al., *Le Dialogue National*, 121–25.
20. M'rad et al., *Le Dialogue National*, 121–25.
21. M'rad et al., *Le Dialogue National*, 55.
22. M'rad et al., *Le Dialogue National*, 48–49.
23. Rikke Hostrup Haughbølle, et al., “Tunisia’s 2013 National Dialogue: Political Crisis Management,” Berghof Foundation, February 2017, 39, www.berghof-foundation.org/fileadmin/redaktion/Publications/Other_Resources/NationalDialogue/NDH_Tunisia.pdf.
24. M'rad et al., *Le Dialogue National*, 100–101. The written response on this issue provided to the author by Chafiq Sarsar on August 1, 2018.
25. M'rad et al., *Le Dialogue National*, 102–103.
26. Daniel Brumberg, “Political Crisis, Regional Power Struggles, and Creeping Presidentialism in Tunisia,” Arab Center Washington DC, July 29, 2020, http://arabcenterdc.org/policy_analyses/political-crisis-regional-power-struggles-and-creeping-presidentialism-in-tunisia; and Daniel Brumberg and Maryam Ben Salem, “Tunisia’s Endless Transition?” *Journal of Democracy* 31, no. 2 (April 2020): 110–24, www.journalofdemocracy.org/articles/tunisia-endless-transition.

YEMEN

This case study was initiated in 2015 when a research team carried out a desk review, key informant interviews, and focus groups in Yemen. The research was truncated because of the conflict. The lead author then rewrote the analysis in 2018 based on her previous research on the subject and brief telephone interviews with key informants.

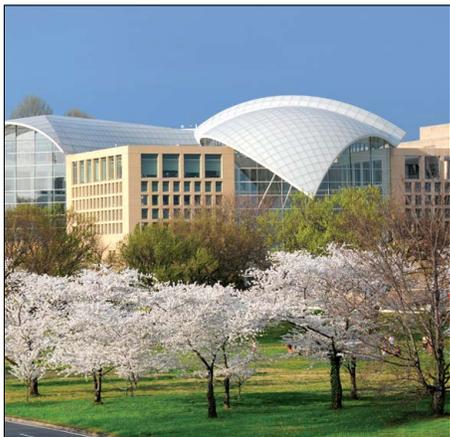
1. For details and a discussion of splits within the political elite, see Charles Schmitz, “Yemen’s National Dialogue,” Middle East Institute, March 10, 2014, www.mei.edu/content/yemens-national-dialogue.
2. The Ahmars are an important tribal clan of the Hashid confederation in Amran, with strong ties to Saudi Arabia. They are led by Sadiq al-Ahmar.
3. April Longley Alley, “Tracking the ‘Arab Spring’: Yemen Changes Everything . . . and Nothing,” *Journal of Democracy* 24, no. 4 (October 2013): 74–85.
4. The GCCI was signed by Saleh and leaders of the Joint Meeting Parties, the ideologically diverse coalition of opposition parties that included the Yemeni Socialist Party; the Nasserist Party; the al-Haq Party; and the powerful Islah party, a conservative coalition of tribal, military, and religious actors, some with close ties to the Muslim Brotherhood in Egypt.
5. Gulf Cooperation Council Initiative (GCCCI) [in Arabic], 2–6. For an English translation, see UN Peacemaker, “Agreement on the Implementation Mechanism for the Transition Process in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (GCC),” December 5, 2011, <https://peacemaker.un.org/yemen-transition-mechanism2011>.
6. International Crisis Group, “Yemen’s Southern Question: Avoiding a Breakdown,” Middle East Report no. 145, September 25, 2013, <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/yemen-s-southern-question-avoiding-breakdown>.
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10. Office of the Special Envoy of the Secretary-General for Yemen, “National Dialogue Conference,” United Nations Missions, <https://osesgy.unmissions.org/national-dialogue-conference>.
11. The Preparatory Committee endorsed the twenty points and raised them with Hadi. Two independent members of the committee—who did not represent specific political factions—resigned over the government’s unwillingness to take action and over the size of the delegations.
12. For a full list of the conference topics, see Erica Gaston, “Process Lessons Learned in Yemen’s National Dialogue,” Special Report no. 342, United States Institute of Peace, February 2014, 13–14, <https://www.usip.org/publications/2014/02/process-lessons-learned-yemens-national-dialogue>.
13. GCCI, para. 20.
14. Jamila Ali Raja, “Yemeni Women in Transition: Challenges and Opportunities,” CDDRL Working Papers no. 140, Center on Democracy, Development, and the Rule of Law at Stanford University, July 2013, 14, https://cddrl.fsi.stanford.edu/arabreform/publications/yemeni_women_in_transition_challenges_and_opportunities. The National Dialogue Conference (NDC) organizers established a target of 30 percent female representation and came close to achieving it (28 percent).
15. NDC, “A Year of Dialogue” [Arabic], 6. The seats were divided as follows: GPC and its allies: 112 seats, the Southern movement (Hiraak): 85 seats, Islah party: 50 seats, Yemeni Socialist Party: 37 seats, the Houthis: 35 seats, Nasserist Party: 30 seats, Justice and Construction Party: 7 seats, al-Rashad party: 7 seats, Ba’ath Party: 4 seats, al-Tajamu al-Wahdawi: 4 seats, Itihad al-Qwa al-Shababiah: 4 seats, al-Majlis al-Watani: 4 seats, al-Haq Party: 4 seats, and the Republic Presidential list: 62 seats. This is in addition to 120 independent seats for youth, women, and CSOs (forty seats for each).
16. Schmitz, “Yemen’s National Dialogue.”
17. For the list of the NDC Presidium members, see NDC, “NDC Presidency,” 2016, www.ndc.ye/page.aspx?show=92.
18. To have representation within the Consensus Committee also meet the overall targets of 50 percent Southern and 30 percent women, the additional appointments included members from the preparatory committee and those considered to have technical or facilitation expertise, as well as additional members from civil society, youth, and women.
19. Latter plenary stages were somewhat confusing because it was not initially decided whether abstaining from voting would count as a yes or a no. This was later resolved to count an abstention as a yes.
20. For more on the Consensus Committee, see Gaston, “Process Lessons Learned,” 6–7.
21. For more on the controversy around the 8+8 committee, see Gaston, “Process Lessons Learned,” 3–4.
22. See, for example, World Bank, United Nations, European Union, and Islamic Development Bank, in collaboration with the Government of Yemen, *Joint Social and Economic Assessment for the Republic of Yemen* (Washington, DC: World Bank, 2012); and Erica Gaston with Nadwa al-Dawsari, “Justice in Transition in Yemen: A Mapping of Local Justice Functioning in Ten Governorates,” Peaceworks no. 99, United States Institute of Peace, September 2014, www.usip.org/publications/justice-in-transition-in-yemen.
23. For a deeper discussion of the Houthi advance during the closing stages of the NDC, see International Crisis Group, “The Huthis: From Saada to Sanaa,” Middle East Report no. 154, June 10, 2014, www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/huthis-saada-sanaa.
24. NDC, “NDC Frequently-Asked Questions,” 2016, www.ndc.ye/page.aspx?show=63.
25. The Friends of Yemen was initiated at a meeting of ministers of major international donors in London in January 2010. For more, see UK Foreign and Commonwealth Office and Department for International Development, “Friends of Yemen: questions and answers,” February 1, 2013, www.gov.uk/government/news/friends-of-yemen-q-a.
26. Multi-Partner Trust Fund Office, “Yemen National Dialogue and Constitutional Reform Trust Fund,” UN Development Programme, <http://mptf.undp.org/factsheet/fund/YEM00>.
27. Republic of Yemen, *Final Communiqué of the National Dialogue Conference, Sana’a, 2014/2015*, 300–307 [Arabic], 6–15 [English summary].
28. Gaston, “Process Lessons Learned,” 4.
29. For a brief summary of the factors leading up to this September takeover and the immediate steps that followed it, see Erica Gaston, “Q&A: Yemen on the Edge of Fracture?” Analysis and Commentary, United States Institute of Peace, January 23, 2015, www.usip.org/publications/2015/01/qa-yemen-edge-fracture.

LESSONS AND GUIDING QUESTIONS

1. Hatem M'rad et al., *Le Dialogue National en Tunisie* (Tunis: Nirvana, 2015), 121.
2. Erica Gaston, "Process Lessons Learned in Yemen's National Dialogue," Special Report no. 142, United States Institute of Peace, February 2014, www.usip.org/sites/default/files/SR342_Process-Lessons-Learned-in-Yemens-National-Dialogue.pdf.
3. For information on the role of nonformal dialogues, see Derek Brown, "Nonformal Dialogues in National Peacemaking: Complementary Approaches," Peaceworks no. 134, United States Institute of Peace, October 2017, www.usip.org/publications/2017/10/nonformal-dialogues-national-peacemaking.

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