

Navigating Self-determination Conflicts: Options for Mediation Support Actors



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Online version: www.mediationsupportnetwork.net

Print version: Send an e-mail to info@mediationsupportnetwork.net

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Series: Discussion Points of the Mediation Support Network (MSN)

Layout: Miriam Dahinden-Ganzoni (CSS)

Acknowledgements: Special thanks are given to Barbro Svedberg and Peter Jones for reviewing this publication and to the Mediation Support Project (a joint project of CSS ETH Zurich and swisspeace funded by the Swiss Federal Department of Foreign Affairs) for supporting the production of this paper. Many thanks also to those who contributed case studies: Akiko Horiba, Festus Kofi Aubyn, Gorka Elejabarrieta, Jularat Damrongvi-teetham, Leon Pérez Manzanera and Victor Barrera Ramirez.

ISSN: 2413-2020

MSN Annual Meeting 2024

The Mediation Support Network (MSN) is a global network of primarily non-governmental organizations that support mediation in peace processes. Mediation support refers to activities that assist and improve mediation practices, for example, training activities, developing guidance, carrying out research, working on policy issues, offering consultation, backstopping ongoing mediation processes, networking and engaging with parties.

The MSN's mission is to promote and improve mediation practice, processes and standards to address political tensions and armed conflict. The MSN connects different mediation support units and organizations with the intention of promoting exchange about planned and ongoing activities to enable synergies and cumulative impact; providing opportunities for collaboration, initiating and encouraging joint activities; and sharing analysis of trends and ways to address emerging challenges in the field of peace mediation.

The MSN meetings are organized and hosted by member organizations on a rotating basis. Each meeting has a primary topical focus, which is jointly decided by all network members. In 2024, the member organizations agreed to focus on mediating self-determination conflicts. The 2024 meeting in Tokyo, organized by Sasakawa Peace Foundation, and supported by Conciliation Resources and the Berghof Foundation, marked the 18th annual meeting of the network and was attended by 29 participants representing 18 member organizations (in person), with at least two additional member organizations represented in online attendance.

Contents

Executive Summary	5
1 Understanding SD conflicts	7
1.1 Introduction	7
1.2 What is an SD conflict?	8
1.3 What is specific to SD conflicts?	9
1.4 Legal/political challenges in settling SD conflicts	10
1.5 Forms of settlement in SD conflicts	10
2 Responding to common challenges in SD conflicts	12
2.1 Dealing with asymmetry	12
2.2 Engaging beyond elites	14
2.3 Thinking ahead to pre-empt or look beyond common challenges	15
2.4 Sharing knowledge, learning and inspiration	18
3 MSA positions, roles and connections in SD conflicts	19
3.1 Responding to a changing conflict and mediation landscape	19
3.2 Reevaluating MSAs' positions, roles and added value	21
3.3 Mapping and connecting mediation support in SD conflicts	21
3.4 Communicating MSA positions, roles and added value	23
4 Conclusion.....	24

Boxes:

1 Self-determination from the perspective of Resistance and Liberation Movements (RLMs).....	9
2 Detrimental effects of asymmetry on conflict resolution: The case of Sri Lanka and the LTTE	12
3 Levelling the playing field: The Basque Peace Process	13
4 Working with Patani youth in southern Thailand	15
5 Engaging the Colombian National Police in transformative dialogues.....	16
6 Civil society's role in addressing SD conflicts through early warning and response mechanisms	17
7 Finding alignment among mediation support actors in the Bangsamoro Autonomous Region in Muslim Mindanao, the Philippines	22
8 The role of SERAPAZ as a trusted intermediary.....	23

Executive Summary

This paper highlights the importance of self-determination (SD) as a challenging issue that drives many of the world's conflicts, while remaining unacknowledged or misunderstood by conflict parties and those seeking to help them reach mutually acceptable solutions and build sustainable peace. SD can provide a useful lens for understanding and addressing these unrecognized or under-appreciated dynamics by acknowledging and prioritizing the unique challenges of conflicts where SD is an issue – whether or not the terminology of SD is explicitly used (see Section 1.2). An SD lens integrates an understanding of historical, political, social and cultural contexts, while considering the identities, rights, needs, interests and aspirations of conflict parties and affected communities. This lens emphasizes aspects such as addressing power asymmetries, navigating the influence of external actors, inclusive people-centered approaches and working through SD options with parties to support sustainable conflict resolution. It also recognizes and engages with the complexities of SD conflicts in a diverse and fragmented conflict and mediation landscape, and a world in geopolitical flux. This requires Mediation Support Actors (MSAs) to reflect on the efficacy of current practice, their own roles and how they relate to others.

The paper outlines some of the more pressing and widespread challenges facing MSAs in SD conflicts and provides examples of viable options to address them. A summary of insights for MSAs to guide future mediation support efforts are highlighted below.

SD dynamics of conflicts

- Map and analyze the SD-related causes or drivers of conflict including cultural oppression, exclusion, lack of recognition and proscription, as well as unequal access to power and resources.
- Pay attention to both the structural causes of conflict and the psychosocial elements, including trauma that shapes the identities, narratives and perceptions of conflict parties and communities.
- Recognize and analyze the role of external states and (sub-)regional bodies and integrate strategies to reduce harmful interference while aligning external actors' interests with conflict resolution goals.

Navigating power asymmetries

- Develop strategies to address power imbalances between states and non-state SD actors, including through initiatives to build the negotiating capacities of weaker parties.
- Encourage states to acknowledge the grievances of SD groups and recognize their status as legitimate negotiating partners, while reassuring them that this

does not equate with endorsement of a party's position or acceptance of their claims.

- Seek to persuade states of the benefits of negotiations using self-interest arguments i.e. that conflict resolution results in more peaceful, cohesive and prosperous societies.

Inclusive people-centered approaches

- Ensure analysis, networks and approaches encompass all those with (potential) SD claims including communities that are not part of the current conflict, as well as diverse cohorts within all conflict parties and their wider constituencies.
- Where possible, engage directly with communities and the cohorts within them to unearth their priority issues and interests as a basis for identifying governance or other measures that can help meet their SD-related needs and aspirations.
- Identify opportunities to support conflict parties in reaching out to their constituencies or wider movements as a way of broadening participation and ensuring diverse views on SD are represented.

Intersectionality

- Analyze and ensure mediation support strategies take account of how identity factors like gender, ethnicity, religion and socioeconomic status intersect with SD issues, shaping the experiences and needs of different groups.
- Conduct gender-sensitive conflict analyses to understand how different gender norms, values, attitudes and behaviors (e.g. masculinities) are shaping SD goals and outcomes.

Opening up options

- Support SD parties in breaking down their demands, identify concrete needs, interests and aspirations and (re-)consider options, strategies and goals relating to SD.
- Use lessons and examples from other SD conflicts to inform mediation support efforts, but avoid one-size-fits-all solutions.
- Be realistic about the options available in pursuit of SD and the preparations that each requires; manage expectations around the likelihood of complete independence.
- Share insights, data and analysis that may not be readily accessible to parties that can inform their positions and strategies.

Leveraging networks

- Facilitate connections outside of specific contexts to expose both states and SD groups to a wider range of experiences and options in SD conflicts.
- Work together in networks within and beyond the mediation support field e.g. with development or human rights actors to share information and analysis and support adaptation and collaboration.
- Consider partnerships with diplomats, IGOs and regional entities to create an approach that minimizes competing agendas and maximizes support for SD mediation support efforts.

Prevention

- Work in a preventative way, engaging where conflict may not yet have turned violent or where there is an impasse, but violence may re-erupt.
- Explore ways to engage with regional or local governments to help prevent tensions over SD escalating or to resolve conflict.
- Make use of information, analysis and entry points provided by early warning and response mechanisms.
- Consider adopting, adapting or complementing assistance-oriented and problem-solving approaches to resolving SD conflicts used by these mechanisms in mediation support strategies.

Complexity and change

- Recognize the protracted and dynamic nature of SD conflicts and design adaptable, context-specific mediation support strategies that can evolve with the situation.
- Support parties and other stakeholders to take a more creative, long-term and transformative approach in preference to more short-term tactical decision-making.
- Explore futures thinking methods to anticipate potential shifts in the conflict, or the factors that influence it, and develop responsive interventions to address emerging challenges.

Normative frameworks

- Use relevant international standards such as humanitarian principles and human rights, including minority and indigenous peoples' rights, as a framework for understanding SD demands and informing options.

- Consider when to refer to international standards explicitly and when to frame conversations in a way that respects but does not directly invoke them.
- Understand and work within the framework of local cultural and religious norms, principles and values while ensuring approaches and solutions are in line with international law.

A diverse peace and mediation field

- Acknowledge and map the diversity of mandates, values, approaches, relative influence and experience of addressing SD issues of multiple mediation support and other 'pro-peace' actors in a context.
- Seek to understand the relationships and potential synergies between them, prioritizing conflict sensitivity to ensure initiatives do not clash with or undermine others.
- Identify opportunities to communicate and collaborate on SD issues across sectors including human rights, social justice, development and the private sector.

Working at different levels

- Consider the potential of frameworks such as 'multimediation' for advancing more complementary approaches and identifying beneficial connections across levels and spaces.
- Look beyond high-level negotiations for partnerships and entry points with diverse sectors of the population, across all genders, generations and other identity markers.
- Explore when and how 'outsider/impartial' MSAs can more effectively engage with or support local or 'insider' mediation of SD conflicts and *vice versa*.

Communicating roles

- Be clear with conflict parties about your mandate, connections, approaches, principles and values and the normative framework you use as a reference point for mediation support.
- Explain how you have previously supported mediation processes where SD is an issue and how you see your role in this instance.
- Network and interact with SD parties to discuss mediation support models and assumptions and ensure that support offered is meaningful and appropriate engagement.

Donors

- Clearly articulate the arguments for addressing (often protracted) SD conflicts to donors and other influential international actors.
- Encourage them to see these conflicts through a governance lens and offer analysis, ideas and options for addressing SD conflicts.
- Encourage investment in the broader peace infrastructure of specific contexts at different levels, not just the high-level official process at hand (if there is one).

Desensitizing the term ‘self-determination’

- While it is sometimes prudent to avoid the term self-determination, normalizing it would reduce its often-triggering effect and enable serious engagement with the issues and options.
- Take advantage of highlighting issues of sovereignty, identity and governance precipitated by recent attacks on the international order to open discussions about SD in political discourse and mainstream media.

1 Understanding SD conflicts

1.1 Introduction

Conflict data shows that disputes over self-determination (SD) account for more than half of all violent conflicts globally and have done so for decades.¹ Such conflicts are difficult to resolve, as they revolve around aspects of group identity such as language, religion or cultural beliefs and practices. Perceived or real attacks on identity can be very emotive and some aspects of religion, for example, are non-negotiable.² Failure to address underlying collective and societal trauma and engage with emotions and symbols related to belonging, territory and the need for recognition often results in protracted and bloody conflicts.

Marginalized communities with distinct ethno-political identities frequently frame their claims in terms of rights. Many invoke the right of SD, interpreted as the right to secede from a discriminatory or oppressive central state.³ Conversely, governments respond by invoking another internationally recognized right: territorial integrity and sovereignty,⁴ insisting on the inviolability of territorial borders. Central governments fear setting a precedent for other groups within their territory, which could trigger a domino effect and lead to loss of control over their land and jurisdiction.⁵ Consequently, states are often reluctant to engage in constructive conflict transformation and instead fail to respond adequately or at all to such claims.

These two fundamental doctrines enshrined in international law – the right of SD and the right to territorial integrity and sovereignty – often pose a practical problem when it comes to resolving SD conflicts.⁶ Conflict parties view the two rights as diametrically opposed

1 Data sets use different methods for categorizing conflicts and there is no shared definition of an SD conflict, but conflicts with elements associated with SD feature strongly in all. See: *Evidencing self-determination as a source of conflict*, Sasakawa Peace Foundation and Conciliation Resources, <https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/2025-03/Evidencing%20self-determination%20as%20a%20source%20of%20conflict.pdf>, accessed May 19, 2025, for an overview of data on the prevalence and persistence of SD conflicts.

2 For more on mediating conflicts between groups with different worldviews, see: *Mediating Conflicts between Groups with Different Worldviews: Approaches and Methods*, ETH Zurich, Center for Security Studies, accessed May 19, 2025, <https://css.ethz.ch/en/think-tank/themes/mediation-support-and-peace-promotion/religion-and-mediation/wv-workshop-mainsite.html>.

3 The international normative framework discussing the parameters and high threshold groups needed to meet to establish a separate state is discussed in: *Mediating Self-determination Conflicts* (Conciliation Resources and the Sasakawa Peace Foundation, 2023), 7, <https://www.c-r.org/learning-hub/mediating-self-determination-conflicts>.

4 Juan Francisco Escudero Espinosa, *Self-Determination and Humanitarian Secession in International Law of a Globalized World: Kosovo v. Crimea*. (Springer Cham, 2017), 20.

5 Mikulas Fabry, “The Right to Self-determination as a Claim to Independence in International Practice”, *Ethnopolitics* vol. 14:5 (2015), 500, doi/full/10.1080/17449057.2015.1051812.

6 The difficult juxtaposition between these two concepts appears in early 20th century documents such as US President Woodrow Wilson’s 1918 “The Fourteen Points”, accessed from The National WWI Museum and Memorial, <https://www.theworldwar.org/learn/peace/fourteen-points>, on May 19, 2025, outlining his proposals for a postwar peace settlement.

and, by extension, irreconcilable. As parties get stuck in polarized positions, finding common ground and mutually acceptable solutions at the negotiation table has proven to be challenging. However, several SD conflicts have been resolved in the past through creative mechanisms and arrangements. Some of these cases will be discussed below. The paper also highlights some of the many ways that mediation support actors (MSAs) and others seeking to assist conflict parties and populations in preventing or resolving SD conflicts can help overcome sticking points in peace processes or shift underlying conflict dynamics.⁷

We divide this paper into three sections. In Section 1 we present the definitions used in the paper and introduce perspectives of representatives from non-state movements engaged in SD-related struggles, including their definition of SD conflicts. Next, we discuss the elements of SD conflicts that distinguish them from other forms of conflict. We then describe some of the difficulties in resolving SD conflicts, notably those arising from definitional ambiguities in the law and politicized responses, before introducing forms of settlement that conflict parties have managed to reach. In Section 2, we delve deeper into the major challenges faced by MSAs involved in SD conflicts and highlight some available options to help resolve them. While many challenges are not unique to SD conflicts, this paper emphasizes the specific SD dimensions and possible responses. Although it is not always possible to identify a distinct SD angle to every challenge, we aim to demonstrate how applying an SD lens can help in analyzing and addressing conflicts with SD dimensions against the backdrop of a complex and evolving mediation landscape. Section 3 draws out some implications, lessons and recommendations for MSAs when engaging in SD conflicts. Throughout the paper, we use boxes to provide case examples from around the world to demonstrate applications of an SD lens to conflict in different contexts.

1.2 What is an SD conflict?

This paper uses a working definition of an SD conflict put forward by Conciliation Resources and the Sasakawa Peace Foundation:⁸

“A political dispute (sometimes violent) where at least one party – usually but not always a minority – seeks more powers to freely determine their political status and freely pursue their economic, social and cultural development. Arrangements

for SD can be internal, involving autonomy over certain aspects of governance within the territory of an existing state, but short of secession; or external involving territorial secession resulting in complete political and legal independence or unification with another state. SD conflicts include situations where SD is an issue even if parties do not use the term SD or call it a SD conflict. SD need not be the sole or initial cause of conflict.”

‘SD group’ refers to a group that potentially has an SD claim even though they may not frame it as such. In many situations the claim is implicit; there may not be a movement mobilized around SD but nevertheless underlying or driving tensions may derive from deep-seated grievances, often rooted in the non-recognition and acknowledgement of collective ethno-political identities. These can be addressed through a range of options that broadly fall under categories set out below.

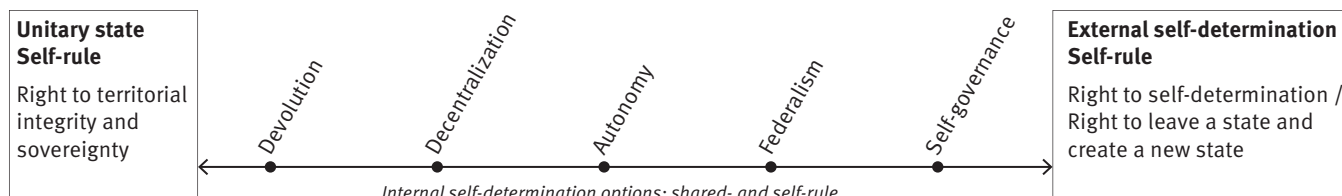
The graphic visualizes a range of internal SD options available between the two ends of the spectrum: a unitary state and a separate state. While the notion of a unitary state emphasizes the ultimate authority of central government, a separate state suggests complete territorial independence. Internal SD encompasses a variety of hybrid arrangements that facilitate shared power or self-rule. Such frameworks aim to accommodate the desires of distinct groups for self-governance while maintaining the overall territorial integrity of the state. Governance models include federalism and forms of decentralization that facilitate implementation of decisions taken at the center, as well as forms of autonomy that grant control over specific affairs that often relate, but are not limited, to identity. The central state meanwhile retains control over competencies of concern to the whole state such as monetary policy, frontiers and defense. Such self-governance arrangements may pertain to a specific territory or be non-territorial, which may be more appropriate when members of an SD group are not concentrated in one geographical area. There are numerous examples of their application around the world, which provide information and inspiration for those seeking to help resolve SD conflicts (see Section 2.4).

MSAs work with all key parties to understand their positions, strategies and goals relating to SD, including the forms of self-governance that best meet their needs and interests. Box 1 summarizes the perspectives and strategies of a group of representatives from Resistance and Liberation Movements (RLMs), drawing on their experiences. While it does not encompass the views and approaches of all groups and movements advocating for SD, it provides valuable insights into what MSAs may encounter when engaging with groups that have SD-related claims.

⁷ MSAs support negotiation and mediation processes to help resolve SD conflicts through different activities such as capacity-building of parties and methodological, logistical and process design support. These can be especially important in SD conflicts, many of which do not have mediator(s) actively involved, to prepare for and complement what mediators would do if they had a mandate from both parties. Some tasks, e.g. supporting one side to develop negotiating capacity, are also arguably better suited to an MSA to ensure the mediator's impartiality is not compromised or questioned.

⁸ *Mediating Self-determination Conflicts* (Conciliation Resources and the Sasakawa Peace Foundation, 2023), 4, <https://www.c-r.org/learning-hub/mediating-self-determination-conflicts>.

Range of self-determination options



Source: Mediation Support Network meeting, Tokyo, 2024, Luxshi Vimalarajah

Box 1

Self-determination from the perspective of Resistance and Liberation Movements (RLMs)

- RLMs approach SD from a rights perspective, drawing on international standards. They see SD as the right to determine their own political, social and cultural future, based on the recognition of their group identity. They view SD as a collective and territorial right.
- RLMs interpret and use the concept of SD in various ways. They also communicate and leverage the concept differently. Some groups have found that advocating for SD can provoke strong reactions from the central government because they see SD as equivalent to secession, which worsens the conflict. Some movements, therefore, prefer to frame their struggle in terms of other human and minority rights, while other groups actively use the idea of SD, viewing it as a tool to resolve political conflicts. They argue that “peace requires the right to SD”.
- RLMs often adopt an incremental, step-by-step, people-centered approach to SD. This means they utilize a variety of strategies to achieve their goals, ranging from civil disobedience to political, parliamentary and international measures. Violent struggle is viewed as a last resort to secure their rights.
- Maintaining internal cohesion and a shared understanding of their objectives is seen as key. They feel that everyone within and beyond the group, including the constituency, needs to be aware of the movement’s stance and the goals it is pursuing. Since many struggles can last for decades, continuous reflection and assessment of whether their actions remain aligned with the best interests of the people they represent remain a key cornerstone of their strategy.
- For many RLMs, the right to SD includes the right to self-defense as an exception to the ban on the use of force outlined in Article 2(4) of the UN Charter and armed struggle to protect their own people and group identity from a (perceived) existential threat. Armed struggle is seen as a means to achieve SD, particularly when the central government is perceived as unwilling to engage with SD claims. This depends on the vision and level of SD being sought, such as outright secession or other demands for political and social recognition.

Source: This section is derived from the forthcoming Berghof Foundation Strategic Framework publication, building on the conversation with representatives of Resistance and Liberation Movements: *Negotiating self-determination conflicts. A Strategic Framework*, (Berlin: Berghof Foundation, forthcoming).

1.3 What is specific to SD conflicts?

While exclusion or disadvantages for certain people (e.g. based on class) can be a feature of many conflicts, in SD conflicts grievances and claims typically revolve around identity. Cultural diversity is a normal feature of all societies, but in many cases concrete laws, policies and practices that effectively accommodate such diversity are lacking as the culture and traditions of the majority or otherwise dominant group(s) within the state enjoy privileged status. Others are left at a disadvantage in terms of the maintenance and development of their own cultural identities, access to public services and other resources and opportunities, and full and equal participation in society.

Distinct features of SD conflicts reflecting these dynamics include:

1. Identity as a conflict marker and rallying point:

Deep-seated grievances stemming from historical exclusion, oppression, violence and injustices often underlie

or drive SD conflicts. Experiences and perceptions of domination and exclusion almost inevitably lead to tensions as groups wishing to maintain and develop their own cultural identity seek to protect their identities from assimilation into mainstream culture. At the same time, manifestations of identity away from the accepted norm (e.g. in terms of dress or religious practice) can provoke intergroup tensions, especially when interpreted by others as an assertion – or simply an unwelcome reminder – of difference. Narratives of ethno-national superiority and victimhood are transmitted through generations and are deeply ingrained in communities and societies.

2. Unequal access to power and resources: SD conflicts are asymmetric. The stronger side – usually a central government representing a numerical majority within the state – typically controls territory, the economy, politics and social affairs as well as state-sponsored security forces. Groups seeking to exercise greater SD may be restricted in their full and effective participation in the political, economic and social life

of the state. They may also experience disadvantages in accessing services, which may require reasonable accommodation to overcome barriers (e.g. provision of interpretation in health care settings). An additional zero-sum dynamic may be introduced where there are implicit or explicit implications for the distribution of (scarce) resources.⁹

3. Lack of recognition and proscription: It is important for SD groups that their difference is recognized and accounted for in public policy and legislation. Official recognition influences the position and status of different communities and their members within the state. Lack of recognition may be a source of grievance both symbolically, as those affected feel excluded, and instrumentally, where the lack of official status limits access to the enjoyment of rights. Lack of recognition and the proscription of non-state armed actors, often representing minorities and marginalized communities, also contributes to asymmetry in peace processes. Where parties are designated as terrorist groups, their access to the international community, including diplomatic and negotiation spaces is hindered.

4. Demand for greater control over their affairs: Cultural oppression, exclusion and lack of recognition lead SD groups to seek greater control over their own affairs, to freely determine their political status and autonomously develop their economic, cultural and social dimensions. Demands for more control are frequently met with suspicion or fear by national governments and wider populations who see support for diversity as fueling separation and division within the state. In fact, meeting groups' identity-related needs and interests can have the opposite effect. International standards for the protection of minority and indigenous peoples' rights set some useful guidance for how such control can be achieved (see Section 3.1).

1.4 Legal/political challenges in settling SD conflicts

Article 1(2) of the UN Charter enshrines the principle of “equal rights and self-determination of peoples”¹⁰ as a way to strengthen peace, while the two 1966 human rights covenants state in Article 1 that: “All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social, and cultural development.”¹¹

While international law grants the right of SD to peoples, there is neither a universally accepted definition nor a clear and consistent application of SD and the question of who qualifies as “peoples” remains unresolved.¹²

This lack of clarity extends to the application of the right of SD outside of the decolonization paradigm (for instance, through secession). Clear stipulations on the conditions under which new states will be recognized have historically been highly ambiguous – if not political – due to major power interests, as seen in cases such as the unilateral secession of Bangladesh in 1970, South Sudan's independence from Sudan under UK pressure and the unilateral recognition of Kosovo's independence from Serbia in 2008. In essence, the states that make up the ‘international system’ tend to approach SD claims from the perspective of established political entities and existing boundaries and are reluctant to endorse the principle that states can be easily split.

Such ambiguity in the international legal framework enables inconsistent and politicized responses that frequently prove inadequate. The lack of clear legal pathways to SD, including access to international institutions established to resolve disputes, have rendered the search for amicable solutions to SD conflict difficult. Where governments are unresponsive to needs and claims, groups may seek independence rather than self-governance arrangements within the existing state that could meet their needs and desire for autonomy. These claims then challenge majority communities' sense of the territorial integrity and sovereignty of the state with conflicts becoming stuck as parties adopt polarized positions.

1.5 Forms of settlement in SD conflicts

The current legal framework is outdated and inadequate for addressing SD conflicts.¹³ However, MSAs can work with conflict parties to break down their demands, identify concrete needs, interests and aspirations and consider options for increasing their political decision-making powers over specific issues (internal SD) that are currently controlled by the central state. Decentralizing political power is possible without necessarily leading to the dissolution of the state, as outlined in Table 1.

9 It should be noted that it is also possible for a group to be privileged in one area of life (e.g. economically) while marginalized in others (e.g. culturally). There may also be diversity within groups – for example, the success of a few minority business people in a group that experiences high levels of unemployment and poverty.

10 “United Nations Charter”, United Nations, accessed May 19, 2025, www.un.org/en/about-us/un-charter/full-text.

11 “International Covenant on Civil and Political Rights”, United Nations, adopted December 16, 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

12 See, for example: Mikulas Fabry, “The Right to Self-determination as a Claim to Independence in International Practice”, *Ethnopolitics* vol. 14:5 (2015), 500, [doi/full/10.1080/17449057.2015.1051812](https://doi.org/10.1080/17449057.2015.1051812).

13 For an overview of the international normative framework and its shortcomings see: *Mediating Self-determination Conflicts* (Conciliation Resources and the Sasakawa Peace Foundation, 2023), 6–8, <https://www.c-r.org/learning-hub/mediating-self-determination-conflicts>.

Table 1 – New approaches to settle self-determination conflicts¹⁴

	Short description	Case examples
Territorial autonomy	“Territorial autonomy [...] denotes self-governance of a demographically distinct territorial unit within the state. [...] While operating within the overall constitutional order of the state, autonomy implies original decision-making power in relation to devolved competences.” (p. 115)	South Tyrol; Faroe Islands; Madeira and the Azores; Basque Country, Galicia, Catalonia, and Andalusia; Quebec; devolution of Scotland and Wales of 1998
Regionalism, federalization, or union with confirmation of territorial unity	“Recent practice has offered a number of solutions going beyond autonomy. These range from loose confederations or state unions to full or asymmetrical federal solutions.” (p. 123)	1996–1997 settlement of Chechnya; the now defunct State Union of Serbia and Montenegro
Deferring a substantive settlement while agreeing to a settlement mechanism	“When autonomy or federalization is not acceptable to one side and secession is not on the cards for the other, the option of a deferral of the issue comes to the fore. This allows both sides to retain their legal positions. In the meantime, they may enter into negotiations on a substantive settlement or establish an agreed interim phase of autonomous administration until final settlement negotiations can take place.” (p. 137)	Outline settlements for South Ossetia of 1996 and for Abkhazia of 1993–1994; Rambouillet interim settlement for Kosovo of 1999; South Sudan
Balancing self-determination claims	“[A]n innovative way of overcoming the mutually exclusive positions of both sides in a self-determination conflict [...] allow[ing] both sides to claim that their view has prevailed, and that their legal position has been preserved in the settlement.” (p. 140)	Good Friday Agreement on Northern Ireland
Agreeing on self-determination but deferring implementation	“The first type includes cases where self-determination is granted or confirmed, but the central government and the secessionist leadership have different expectations as to the likely outcome of the act of self-determination. The entity may opt for continued integration with the state, or for independence. The interim period is [...] designed to offer space for campaigning for the one or other solution [...]. A second type of deferment concerns situations where it is clear that, after an agreed period of standstill, self-determination and almost inevitably secession will occur. In this type of case, the standstill period can be devoted to planning for the post-referendum period.” (p. 142)	Western Sahara; Sudan, Machakos Protocol of 20 July 2002
Establishing a de-facto state	“Another option for a settlement avoids issues of the de jure status of the entity altogether. [...] One [way] is to seek agreement on the de facto configuration of the projected new states, which will confirm at least its potential independence. [...] A second way will merely seek to offer territorial stability for the de facto entity.” (p. 148)	Ahtisaari negotiations on the future status of Kosovo
Supervised independence	“Supervised independence would trade international recognition of statehood for a commitment by the newly independent entity to certain permanent or temporary limitations of its sovereignty or the exercise of its sovereignty.” (p. 150)	Ahtisaari Comprehensive Proposal for Kosovo
Conditional self-determination	“There can be external and internal conditionality. An example of external conditionality is provided by the Gagauzia autonomy statute [...]. That is to say, Gagauzia turns into a self-determination entity with the opportunity of lawful secession if an event out of its own control occurs – in this case a change in the status of Moldova. [...] Internal conditionality, on the other hand, relates to the acceptance and effective implementation of certain requirements of governance.” (p. 153)	Gagauzia autonomy statute; Rambouillet interim settlement for Kosovo; Kokopo Agreement on Bougainville of 26 January 2001
Constitutional self-determination	“[T]o enshrine the right directly in the state constitution. [...] Constitutionally established self-determination is not unknown, although it has remained comparatively rare.” (p. 154)	1947 Constitution of the Union of Burma

¹⁴ This table summarizes Marc Weller’s work presented in the following: Marc Weller, “Settling self-determination conflicts: recent developments”, *The European Journal of International Law* 20(1) (2009): 111–165. For more up-to-date information, see Marc Weller, “Self-determination and peace-making”, in *International law and peace settlements*, eds. Marc Weller, Mark Retter and Andrea Varga, (Cambridge University Press, 2021), 398–431.

2 Responding to common challenges in SD conflicts

The first step in addressing SD conflicts is to recognize and acknowledge their existence. The second is to really understand and seriously engage with the SD dynamics of conflicts and identify the causes or drivers of violence to address them. By applying an SD lens to conflicts it is possible to see and understand some of the challenges they present and identify more viable options for progressing mediation processes to resolve them. Some of these challenges are shared with other conflicts (such as the increasingly contested global conflict landscape or the decline of the classic high-level linear peace process). Others are more common in – or distinctive to – SD conflicts (such as their asymmetrical nature and links to identity). This section outlines some of the more pressing and widespread challenges facing MSAs in SD conflicts and provides some insights and recommendations for addressing them.

2.1 Dealing with asymmetry

Asymmetry is a prominent feature of SD conflicts. While power imbalances and the resulting challenges are also present in other types of conflicts, they are more pronounced in SD conflicts. Typically, state actors possess significantly greater political and economic power, resources, influence and international legitimacy than their non-state counterparts. When power is distributed so unevenly among the conflict parties, it becomes much more challenging to reach a fair and just solution through negotiation.

The stronger party often dictates the terms of the negotiations and the outcomes tend to favor them, further entrenching the existing asymmetry, as seen in the Sri Lankan context (see Box 2). Feelings of exclusion, fear of extinction, historical narratives of superiority and past injustices contribute to the formation and shaping of national identities. These psychological factors, linked to the feeling of being the “underdog,” often prevent the perceived weaker party from considering creative, non-violent approaches to level the playing field, as illustrated by the Sri Lankan case.

Box 2

Detrimental effects of asymmetry on conflict resolution: The case of Sri Lanka and the LTTE

The prolonged armed conflict between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE), is a prime example of an asymmetric SD conflict. There have been many notable efforts to address the situation. These initiatives took place during Indian engagement, domestic initiatives in the mid-1990s and Norwegian facilitation in 2002. However, by

2009, a military solution took precedence over a political one which led to the destruction of the LTTE.¹⁵

To challenge the state’s advantages, the LTTE employed asymmetric warfare tactics, such as suicide cadres, guerrilla tactics and political assassinations. Both parties were accused of war crimes. By 2002, the conflict had reached a stalemate on the battlefield and the conflict actors recognized that a military victory was unattainable, prompting them to seek negotiation. Norway was invited to facilitate the peace process, which lasted only a year before the LTTE announced a temporary withdrawal in 2003. Various key moments during the peace process shifted the balance of power in favor of the Sri Lankan state, ultimately leading to the collapse of the peace efforts and the LTTE’s military defeat. Instead of levelling the playing field, the asymmetry was further entrenched at the negotiation table, partly with the support of the international community.

The LTTE perceived legal sanctions as evidence of unequal treatment, particularly regarding the lifting of the proscription ban on their organization. Despite the ban being lifted domestically by the Sri Lankan government, the LTTE remained listed as a terrorist organization by other countries. This designation excluded the LTTE from a crucial donor conference in Washington, affecting their ability to secure pledges for resettlement and development. Consequently, the LTTE suspended its participation in talks, expressing dissatisfaction with the state’s failure to honor commitments on normalization.

The LTTE’s legal advisors criticized the reliance on intelligence reports from Sri Lanka to support legal charges against the organization, emphasizing the biases and assumptions of international actors. They believed that the LTTE was portrayed as a reluctant participant while the state’s commitment was taken for granted, influencing external pressures and incentives. Although the peace process remained ostensibly active, the LTTE was designated as a terrorist organization by the EU and Canada in 2006, further destabilizing positions.

International instruments and conditionalities designed to promote peace and encourage negotiations had counterproductive effects, hardening the positions of both parties. The LTTE and Tamil community believed that the international climate inherently fostered asymmetrical relations in favor of states, leading to a pro-state bias in international institutions.¹⁶ For example, the LTTE was accused of violating the Optional Protocol to the Convention on the Rights of the Child, by deploying child soldiers, while the Protocol openly permits states to recruit individuals under 18 for the armed forces.¹⁷

15 Suthaharan Nadarajah, “Prejudice, asymmetry and insecurity”, *Accord 19: Incentives, sanctions and conditionality*, (2008), 88–89, <https://www.c-r.org/accord/incentives-sanctions-and-conditionality>.

16 An illustrative example of the prostate bias in international institutions occurred when the UN Secretary-General was barred from visiting tsunami-affected areas under LTTE control. The Indo-Lanka Accord serves as another instance where the LTTE, as a key conflict actor, was excluded from negotiations. The peace treaty was signed between the Government of Sri Lanka and India. Rudrakumaran views this as a cardinal mistake of India’s peace-making efforts. Visvanathan Rudrakumaran, “Asymmetries in the peace process the Liberation Tigers of Tamil Eelam”, *Accord 16: Engaging Armed Groups*, ed. Robert Ricigliano (2005), 80–83, <https://www.c-r.org/accord/engaging-armed-groups>.

17 Ibid.

Additionally, there were disparities in aid allocation, as donors pledged reconstruction aid for the entire country, with only an unspecified amount made conditional on progress in the peace process for the war-torn northeast. However, outside these pledges, bilateral and multilateral aid to the state continued.

The Sri Lankan state negotiators possessed essential diplomatic skills, while the LTTE, operating clandestinely as a proscribed organization for decades, lacked international exposure and familiarity with negotiations. To compensate for this asymmetry, the LTTE leveraged the talents of the resourceful Tamil diaspora with the support of some international NGOs and academics.

Perceived or actual asymmetry in conflict situations often strengthens claims for SD, as it may seem impossible to achieve mutually acceptable and just outcomes under such conditions. However, symmetry and asymmetry are not permanent states; they can change if measures are taken to address power imbalances. By involving third-party actors – both the international community and local civil society – the Basque movement was able to level the playing field. They effectively “borrowed power”¹⁸ from these actors to compensate for their perceived weakness and the lack of bargaining power and leverage in negotiations with the Spanish state.

Box 3

Levelling the playing field: The Basque Peace Process

The Basque people occupy regions of northern Spain and southwestern France and have a unique language and culture. The suppression of Basque culture and language by successive Spanish governments, along with the lack of recognition of the Basque people in France, has fueled nationalist movements for decades. Focused on demanding independence to achieve full autonomy over their affairs, the armed separatist group Euskadi Ta Askatasuna (ETA), a key player in the Basque movement, waged a violent campaign against the Spanish state from 1958 until 2011. Despite multiple attempts, no negotiated settlement to the conflict was achieved.

In 2011, ETA declared the end of its armed struggle, paving the way for its dissolution as an organization in 2018, as part of an indirect agreement with the government. However, after a change in government, the newly elected executive in Spain maintained that there was no Basque conflict, only a security and law-and-order problem. This meant that the root causes behind the conflict, the status of exiles and prisoners and advancing de-escalation and de-commissioning, were unaddressed.

In the Basque peace process, the wider Basque movement developed a creative new strategy to deal with the prevailing asymmetry. After the collapse of the 2005–2007 negotiation process and in the absence of direct bilateral negotiations

with the state, the Basque movement strategized internally. They developed a plan based on unilateralism “as a lever to change the scenario of violence and try to promote a peace process in the country”,¹⁹ without refusing bilateral relations.²⁰ It was built on three pillars: 1. Building alliances within the Basque Country, 2. Strengthening the Basque movement as a political movement, and 3. “Internationalizing” the peace process.

Building systemic alliances with Basque civil society played a vital role in the Basque peace process by helping to legitimize the movement and portraying the Basque struggle as one for national liberation. The efforts of civil society to humanize the conflict, emphasize the experiences of victims and create platforms for non-violent political engagement were instrumental in the eventual dissolution of ETA and the cessation of violence. The Permanent Social Forum²¹ established in 2016 was an umbrella organization consisting of 17 Basque civil society organizations that played a significant role in driving the disarmament process of ETA. These initiatives from civil society helped both ETA and the Basque movement conclude their violent campaign in a dignified manner, avoiding the need to ‘surrender’ to their opponents.

While the Basque conflict was largely domestic, the internationalization of the peace process was key to its resolution. The Basque peace process benefitted immensely from international involvement, with mediators, observers and experienced figures playing a crucial role in facilitating dialogue and building trust among the parties involved. In 2010 the formation of the International Contact Group (ICG), led by South African lawyer Brian Currin, marked a significant development. The ICG, comprised of individuals experienced in peace processes, played a pivotal role in encouraging ETA’s shift from armed struggle to democratic participation.

Furthermore, the Basque peace process drew valuable lessons from international conflicts like Northern Ireland and South Africa. The technical support provided by organizations like the Berghof Foundation and Conciliation Resources to the peace process was regarded as a “valuable contribution to peace efforts undertaken by various actors in the Basque Country”.²²

19 Urko Aiartza Azurtza, “Strategic thinking and conflict transformation: A reflection on and from the Basque Country”, *Berghof Transitions Series No. 14* (2019), <https://berghof-foundation.org/library/strategic-thinking-and-conflict-transformation-a-reflection-on-and-from-the-basque-country>.

20 For a detailed analysis of the unilateral disarmament process see: Vlad Corbu and Juan Garrigues, “From ceasefire to disarmament without states: lessons from the Basque Country”, *Accord 29: Pioneering peace pathways: Making connections to end violent conflict*, (2020): 97–103, <https://www.c-r.org/accord/pioneering-peace-pathways/ceasefire-disarmament-without-states-lessons-basque-country>.

21 Basque Permanent Social Forum, “ETA’s disarmament in light of international DDR guidelines: Lessons learnt from an innovative Basque scenario”, *Berghof Transitions Series No. 12* (2017), <https://berghof-foundation.org/library/etas-disarmament-in-the-context-of-international-ddr-guidelines-lessons-learnt-from-an-innovative-basque-scenario>.

22 Urko Aiartza Azurtza, “Strategic thinking and conflict transformation: A reflection on and from the Basque Country”, *Berghof Transitions Series No. 14* (2019): 44, <https://berghof-foundation.org/library/strategic-thinking-and-conflict-transformation-a-reflection-on-and-from-the-basque-country>. See, also: Vlad Corbu and Juan Garrigues, “From ceasefire to disarmament without states: lessons from the Basque Country”, *Accord 29: Pioneering peace pathways: Making connections to end violent conflict*, (2020): 97–103, <https://www.c-r.org/accord/pioneering-peace-pathways/ceasefire-disarmament-without-states-lessons-basque-country>, on the role of the Dialogue Advisory Group in establishing and leading an international commission to verify the ceasefire announced by ETA.

18 Coined by William Zartman, “The Structuralist Dilemma in Negotiation”, in: *Research on Negotiations in Organizations*, ed. Roy J. Lewicki, Robert J. Bies, Blair H. Sheppard, vol. 6, (JAI Press, 1997), 227–245: 238.

The international community's involvement lent credibility and legitimacy and contributed to levelling the playing field with expertise and by exerting external pressure on both ETA and the Spanish state.

The Sri Lankan and Basque cases highlight the complexities and implications of asymmetry in conflict resolution processes. Asymmetry is not only reflected in the actual structural power of actors but also in their ability to define and shape narratives and identities.

In Sri Lanka, the LTTE attempted to address their disadvantaged position by escalating violence and mobilizing the Tamil Diaspora. In contrast, the Basque movement engaged both the international community and Basque civil society to establish a balance of power and to shift the narrative from one of terrorism to one of national liberation. Although both organizations faced international sanctions and proscription, the level of international support they received was markedly different.

2.2 Engaging beyond elites

Engaging with the needs and interests of all groups in a conflict-affected context

In SD contexts there are often multiple groups and layers of sometimes competing claims that evolve over time. These include groups with potential SD claims who may be parties to conflict, but also communities that have not (yet) articulated claims or resorted to violence. For example, Sri Lanka was understood by many as a binary conflict between the minority Tamil population and Buddhist state, but there were divisions between Sinhalese and Tamil-speaking groups as well as other actors like Muslim minority groups. For peace to be sustainable, the needs and interests of all these groups have to be addressed.

Challenges with representation – who represents whom?

'SD groups' or other 'communities' – minority or majority – within a state are not homogenous and it is important to understand the varying privileges, needs, perspectives and experiences of people, including along the lines of gender and age. Intersectionality between many different aspects of identity can come to the fore depending on the circumstances. More people-centered inclusive approaches that enable conflict-affected societies, as well as diaspora, to discuss SD goals and strategies for achieving them can help identify alternative viable pathways for meeting the needs and interests of those populations and potentially change conflict narratives. Despite this, most peace processes, including those in SD contexts, are dominated by largely male elite power holders with many different groups including women, youth, persons with disabilities, the internally displaced, linguistic or religious minorities, and indigenous peoples routinely excluded and unable to

shape the agreements that ultimately affect them. Even where they gain seats at the 'top table', representatives from groups with less power often find it difficult to wield sufficient influence due to relative inexperience in negotiating, prejudice of others at the table or because they lack the political leverage of their more elite counterparts.

In SD conflicts, representation issues are particularly crucial where elites may be pushing for one model or outcome that does not resonate with the constituencies they purport to represent. People experience the impacts of conflict in different ways and have diverse needs and interests that may influence their goals in terms of the forms of SD they are seeking or the strategies they favor to achieve them. For example, the positions of older diaspora who maintain SD goals frozen in the time they left the country can be very different to those of younger people brought up in an evolving conflict situation. Similarly, using a gender lens/analysis helps identify the unique impacts SD conflicts have on women or marginalized genders, including heightened vulnerability to violence and exclusion from decision-making processes. Conducting gender-sensitive analyses, understanding gendered cultural nuances and supporting women and marginalized groups in SD movements and conflict resolution efforts can help to address inequalities and ultimately contribute to more sustainable peaceful outcomes.

Dealing with diversity within parties, constituencies and wider populations

To ensure peace processes help resolve the underlying causes and drivers of SD conflicts, MSAs should look beyond high-level negotiations for partnerships and entry points with diverse sectors of the population. As a precursor to engagement, MSAs should ensure that their analysis and networks in the context are sufficiently comprehensive to encompass those with (potential) SD claims including communities that are not part of the current conflict, as well as diverse cohorts within all conflict parties and their wider constituencies. They then need to consider whether they can best connect directly with different communities and cohorts of conflict-affected populations to inform a process and/or whether to encourage and support conflict parties to reach out to their constituencies or wider movements to broaden participation and help 'bring them along' as they move towards peaceful solutions to SD conflicts.

Direct engagement with members of more marginalized groups with (potential) SD claims, as well as experts and analysts can yield valuable and diverse perspectives and can shed light on grievances that underlie current tensions or disputes and could spark new SD conflicts. Such engagement does not necessarily need to be couched in the language of SD and governance. A people-centered approach that starts with everyday needs and interests that often relate to SD such as provision of mother-tongue education or access to traditional lands helps identify and address the real

underlying issues that are important for people. Having surfaced these issues, it can be helpful to explain how the governance structures or other chosen measures enable people to achieve their aspirations.

Box 4

Working with Patani youth in southern Thailand

The conflict between the Thai government and insurgent armed groups in the three southern border provinces of Thailand/Patani²³ has killed over 7,300 people since 2004.²⁴ The Patani region comprises 80 percent of Malay-Muslims in a country of primarily Thai-speaking Buddhists. While the militants are regarded as separatists by the government, the main armed group, the Barisan Revolusi Nasional (BRN), characterizes itself as a liberation movement and the representative of the Patani people. According to a set of five ‘preliminary demands’ released by the BRN in 2013, the right and freedom to practice religious activities and to pursue a Malay way of life without oppression and attack by the authorities is central to the liberation of the Patani people. Since 2013, the BRN position has been that Patani Malays should have a chance to find political solutions which recognize their identity and respect their different culture.

The Patani people seek protection of their dignity, and recognition of their culture, history and language without necessarily aspiring to independence. However, there is very little political space for them to express their opinions freely and discuss what they want for the future. Widening spaces for dialogue is therefore key to enable this conflict-affected population to exchange views and discuss goals, options and strategies for realizing their right to self-determination and conflict resolution.

In this context, the Sasakawa Peace Foundation (SPF) has been providing training and building relationships with different stakeholders over the years, especially with Malay youth who are a minority and are generally suspected by the security forces of having ties to the armed groups. First, it is important to listen to their real needs and thoughts. SPF have been holding workshops with youth to discuss how the underlying issues causing tensions and violence can be addressed and resolved in a non-violent way through conflict analysis, addressing structural injustice and advancing political understanding. Their views are then brought to the track 1 (government/armed group) level by creating opportunities for dialogue that bring together activists, politicians and researchers from as many different backgrounds as possible. SPF has been supporting the youth in attending dialogues and drafting reports and recommendations for the Ad-hoc Parliamentary Committee on Peacebuilding in the Thai Parliament.

A particular challenge is that actors in the conflict use guerrilla warfare methods, making it difficult to identify whether people are members of armed groups or not. The more SPF have analyzed the conflict in southern Thailand, the more apparent the

importance of reaching out to tracks 2 and 3²⁵ has become, since the Malay liberation movement is sustained by the villagers. Therefore, while building relationships with cadres of armed groups, many of whom have fled to Malaysia and Indonesia, and providing training are important, approaching the youth remains crucial, as many still believe that violence is the only means to achieve their aims.

2.3 Thinking ahead to pre-empt or look beyond common challenges

While SD conflicts are often complicated by common challenges, the way conflict parties and MSAs approach them can fall into similar, and therefore preventable pitfalls. These include failure to engage sincerely, effectively and early enough to address structural issues such as exclusion from political life or development opportunities, but also the role of ‘intangibles’ like emotions and symbols that underlie or perpetuate such conflicts.²⁶ Psychosocial aspects including individual, collective and societal trauma often play a major role in SD conflicts, shaping the identities, narratives and perceptions of conflict parties, fueling cycles of mistrust and deepening divisions between groups, leading to the repetition of violence. Where national governments are reluctant to engage on these issues, MSAs may find ways to work at regional or local government level to help prevent tensions escalating or resolve conflict. Conflict prevention, early warning and response mechanisms may provide entry points for MSAs. Parties may also need help in escaping entrenched or polarized positions by introducing a futures orientation that can help shift perspectives and mindsets by introducing a dose of realism.

Inadequate responses to SD-related tensions

States often fail to recognize SD-related issues as a source of tensions or to meaningfully engage with grievances and claims as they gain political traction. This leaves pre-existing grievances to fester, aggravates them further or creates new grievances, laying the groundwork for polarization and escalation. Where groups are repressed, marginalized or ignored they may come to identify secession and independence as the only possible recourse. Without identifying and attempting to address SD dynamics across the board within society, the focus will tend to be on those groups bringing claims in the loudest or most threatening ways. Other groups are easily ignored as they are not considered to present an immediate threat, storing up problems for the future – particularly where the use of violent tactics by other groups yields results in terms of the state’s willingness to enter negotiations. This reluctance of states to engage with SD-related tensions early

23 Spelling of Patani with a single ‘t’ is the preferred form for Patani-Malay communities.

24 For background on the conflict see: International Crisis Group, “Sustaining the Momentum in Southern Thailand’s Peace Dialogue”, *Briefing 172 / Asia*, April 19, 2022, <https://www.crisisgroup.org/asia/south-east-asia/thailand/sustaining-momentum-southern-thailands-peace-dialogue>.

25 Described often as middle-level and grassroots initiatives.

26 On the relevance of emotional and psychological underpinnings of conflict see, for example: Carla Schraml, “Sacred values in high-level peace negotiations: Recommendations informed by neuro- and cognitive science”, *Berghof Foundation Policy Brief 18* (2024), <https://berghof-foundation.org/library/sacred-values-in-high-level-peace-negotiations>.

– or at all – is often tied to issues of asymmetry and lack of parity of esteem, as discussed in Section 2.1. For SD groups, acknowledgment of their grievances or recognition of their status as a legitimate negotiating partner is often a precursor to entering into talks.

Pitfalls of short-termism

Failing to anticipate or respond to needs, interests and claims in this way hampers the prevention and resolution of SD conflicts, which may require changing or establishing new governance structures, shifting territorial boundaries or amending constitutions. Finding mutually acceptable solutions to these questions requires creativity and courage, alongside various kinds of legal, contextual and conflict expertise. Yet, sometimes working in the midst of conflict, under considerable pressure, leaders of conflict parties can take a short-term approach, making decisions in an insular and tactical way to the detriment of more creative, long-term and transformative options. Partly as a result, they are often unaware of the options and mediation support resources available to them. In other cases, they are well aware of the options but wedded to one model or strategy because they think it is the only one that will achieve their aims or they see deviation from it as betraying those who have already suffered. They may also lack confidence that they can convince their supporters to shift long-held positions.

What can MSAs do?

MSAs can help disrupt these common patterns in several ways. First, they can facilitate comparative learning to sensitize states and SD groups to a wider range of SD options before conflicts escalate, as discussed in Section 2.4. Second, they can seek to work in a more preventative way, engaging where there may not yet be violence, but where (perceived) systematic discrimination and disadvantage may lead to it in the future. At these earlier stages, mediation support can connect and build confidence among the different sides but also serve as a vehicle for early warning.

Approaches of regional early warning and conflict prevention mechanisms provide some lessons that MSAs could draw upon. For example the Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities (HCNM) uses quiet diplomacy at the earliest possible stage to help states respond to the claims of minorities within their borders that could lead to violence.²⁷ The HCNM helps address government fears of engaging with minority groups and encourages them to respond to groups' legitimate concerns related to a desire for more control over their own affairs, as well as opportunities for effective participation and equal access to public goods and services of the state. Taking a pragmatic and principled approach, the HCNM appeals to states' self-interest by demon-

strating how engaging with SD claims helps prevent violence and providing options and technical support for ensuring respect for the rights of all communities within their jurisdiction in line with international law. Many factors, including geopolitical influences and interests affect the extent to which states are willing to engage in this way at national government level.

As Box 5 illustrates, states are not monolithic and it is also possible to find ways to engage at a regional or local government level or with entities or institutions of the state to address tensions.

Box 5

Engaging the Colombian National Police in transformative dialogues

Centro de Investigación y Educación Popular (CINEP) facilitated various dialogue processes over three years between police officers, demonstrators and non-demonstrators to minimize violent interactions during mass protests in Colombia. These dialogues aimed to transform relationships and develop strategies for protecting life during public demonstrations, with guarantees for all parties involved. This was challenging due to issues such as the historical resistance of the Colombian National Police to engage in such processes. Three fundamental strategies were used for engagement, which yield some key lessons for other contexts.

CINEP built a different kind of relationship by being open to understanding the daily operations of the National Police, beyond stereotypes and generalizations. Developing participatory ethnographic studies alongside police officers during the exploration and design phase helped CINEP better understand the interests, positions and incentives of those within the institution and view the problem from new perspectives. It also enabled stronger connections and trust-building between CINEP and the police.

Based on these new relationships and insights, a dialogue mobilization strategy was developed that was sensitive to the particularities of the National Police and differentiated according to the levels of command within the institution. Among the highest-ranking officers, who were traditionally skeptical and hardline, the strategy appealed to Christian values to mobilize aspects such as compassion, forgiveness and justice. Whereas one of the main obstacles to dialogue was the entrenchment of a religious worldview within an institution that, by law, should be secular, referencing and reframing these norms in a positive way helped these officers engage.

Among the middle ranks, who were more open to change and motivated by interests related to their professional careers, available evidence from specialized literature was used to demonstrate the negative effects on public trust of police abuses committed during protests. This helped to motivate the participation of some police sectors who saw that if this situation did not change, their service and professional careers could be compromised. This systematic understanding of the internal dynamics of a heterogeneous institution helped develop more differentiated and effective strategies for dialogue.

²⁷ For more information on the OSCE HCNM see the website: <https://www.osce.org/hcnm>.

Instead of positioning themselves as external experts telling the police how to participate in the dialogue process and emphasizing deficits or weaknesses, the team systematized a set of institutional best practices related to dialogue during protests. This formed the basis of a capacity-building process for dialogue from the bottom up, aiming to scale these best practices through a peer-to-peer knowledge transfer process. In this way, the National Police were invited to participate in the dialogues drawing on their existing knowledge and skills and based on what the institution already knew how to do. This encouraged greater openness to change by sending the message “from within” and fostering greater institutional ownership.

Where national state authorities are unwilling to engage with SD groups directly, multi-level peace architectures can still engage, exchange information and build trust between groups and local/sub-national authorities who are more connected to and affected by SD conflicts in their areas. The example in Box 6 illustrates the positive and negative roles various actors (regional IGOs, states, NGOs) play in early warning in a region where SD conflicts are present and demonstrates some of the challenges and limitations even where a well-developed early warning system is in place.

Box 6

Civil society’s role in addressing SD conflicts through early warning and response mechanisms

SD conflicts in the West Africa region include the Tuareg rebellion in Mali and ongoing tensions between the Indigenous People of Biafra (IPOB) and the Nigerian state. Like many other SD conflicts, they are the legacy of the colonial imposition of boundaries; they tend to be long term and low level, hibernating until something triggers them again.

Where the states involved are reluctant to address the conflicts on their own soil, this can feed into the position of the (sub-)regional IGOs that could potentially help to address them. For instance, the Federal Government of Nigeria does not want to discuss the Biafra situation. Nigeria is a powerful member and a leading funder of the Economic Community of West African States (ECOWAS), meaning the regional bloc is limited in what it can do directly to address tension in this and other SD cases. The problem is compounded as the reputation of ECOWAS is damaged due to its inability to stem the tide of military coups or unconstitutional changes of governments in West Africa. It therefore works with Civil Society Organizations (CSOs) such as The West Africa Network for Peacebuilding (WANEP), a network of 700 CSOs, to engage with states on SD issues.

WANEP works with peace infrastructures such as local peace committees and national peace councils (NPCs) to help build their capacity in mediation and dialogue. While many are predominantly made up of (male) traditional and religious leaders, WANEP also engages more widely with women and youth groups that make up the constituencies of armed groups with

SD aspirations. The network provides research and analytical support to identify the structural issues that keep resurfacing in these conflicts. These underlying causes are often overshadowed by issues of security and crime, but need addressing if conflicts are to be resolved. WANEP is also able to facilitate informal dialogue, trying to identify key influences and groups in the wider community to have a frank and compassionate discussion around the issues, to clarify misconceptions and identify core needs to address. This helps to mitigate the violent trajectories associated with these conflicts. In some cases, the opinions of the wider population inform and help shape the positions taken by their leaders – whether government or SD groups.

As part of the ECOWAS Early Warning and Response Network (ECOWARN), which allows civil society actors to provide input at state level, WANEP provides technical support to the National Centres for Coordination of Early Warning and Response Mechanism to support government intervention. While WANEP serves as an entry point to engage the state, this comes with challenges. These include dealing with negative perceptions of engaging with proscribed groups, as well as security issues and problems accessing relevant areas involving pushback from state institutions. For example, when travelling to the southeast region of Nigeria where the Biafra agitations were taking place in 2016, WANEP was told to leave and escorted to the airport by police. With ECOWAS unwilling or unable to take on a more robust role, and with little interest from the African Union in tackling these SD conflicts because of sovereignty issues, there is a limit to what can be achieved.

Futures thinking

MSAs can also encourage conflict parties to lengthen their time horizons to prepare for future challenges where mediation processes have got stuck or will foreseeably face particularly stubborn obstacles. For instance, proposals being developed about future governance structures should be grounded in sound legal analysis to pre-empt future obstacles or find workable legal pathways for solutions. At the same time, they can also create space for conflict parties and constituencies to develop and reverse engineer possible future scenarios to enable more creative, less time-bound ideas to address current problems. This kind of ‘futures thinking’ is often used by MSAs to identify long-term challenges and opportunities and make strategic decisions. It can be especially useful in SD conflicts where parties are stuck in polarized positions and unable to move forward, to help them realize that the current situation is untenable in the light of current conflict trajectories and wider trends (geopolitical, economic, technological, etc.). However, these approaches need to be carefully tailored in SD conflicts where the discussion of a shared future carries particular challenges, e.g. where one party seeks a separate future as an independent state. There are numerous methods and approaches that can be adapted to suit the context, with different components and activities, as standalone or part of a process during any stage of

a conflict.²⁸ For example, for groups seeking to transition towards SD through political dialogue rather than violence, scenario building is commonly used by MSAs to help them think this through, including in terms of roles (e.g. of armed actors and wider populations) and timelines, etc.

2.4 Sharing knowledge, learning and inspiration

SD conflicts tend to be among the most durable,²⁹ and peace mediation processes aiming to provide lasting resolutions to them can freeze or become stuck as the proposals and objectives of the respective conflict parties on ‘big ticket issues’ seem irreconcilable. It is easy for conflict parties and constituencies in such a situation to dismiss peace mediation processes as futile or utopian. Helping conflict parties see the potential of, prepare for and (re-)enter negotiations is a vital role that MSAs frequently play.

Preparatory support

Informal preparatory discussions are often necessary to persuade parties to (re-)enter talks and/or ensure they are confident in approaching them or comfortable with different options for their resolution. MSAs can work with parties to consider fundamental questions around what SD means for them and the relevance or applicability of different governance models such as federalism or power sharing.³⁰ Common methods of support include providing information on different forms of SD, enabling access to resources (e.g. legal opinions), supporting parties in thinking through positions and strategies and prioritizing demands or providing coaching in negotiation skills.

Comparative practice

Sharing lessons and insights from other cases of SD conflicts is an important role for international MSAs, who may be involved in numerous peace processes or have past experiences to draw upon. This can provide not only much-needed hope but also generate ideas from methods and approaches that have helped other processes overcome similar obstacles. This also includes learning from previous ‘failed peace processes’,

analyzing what went wrong and why so that mistakes are not repeated.³¹ It is important to note that comparative learning does and should not equate to developing cookie-cutter approaches or solutions to SD conflicts, which may share distinct characteristics but are never the same. Conflict parties are often keen to prioritize homegrown approaches but they can also be inspired by what others have done in different contexts. Comparative practice is a means of introducing options to discussions that parties may not have been aware of, for instance regarding non-territorial solutions addressing education, cultural and language issues, that can potentially meet a group’s needs while also allaying state concerns about territorial integrity.

When and how to introduce learning

Learning can be introduced by MSAs – either from their own experience or by bringing in experts into a process (including former conflict parties or mediators). While not needing to be experts in SD, MSAs can still educate themselves about different models, contexts and experiences to be able to identify those most relevant to the situation at hand. Such support can be helpful at any stage in a mediation process including post-agreement e.g. in helping parties transform from armed groups to political actors. The timing and nature of the introduction of information into a process also needs to be carefully considered depending on what parties are ready to hear.

Facilitating cross-context connections

MSAs can also facilitate direct connections and conversations across SD conflict contexts. For example, Belfast in Northern Ireland has often played host to politicians and SD groups looking to learn more about its peace process, away from the confines of their own pressured conflict contexts. Such study visits and exchanges can stimulate open reflections, spark ideas and internal dialogue, as well as building relationships among and between groups. However, parties in SD conflicts have strongly-held beliefs, some aspects of which (e.g. around religious identity) may be considered as non-negotiable and will not shift based on new experiences. There is also a risk that participants will interpret what they learn to support their own prior conclusions and presumptions rather than critically assessing them in the light of new knowledge and others’ experience. Study visits are sometimes critiqued because they remove conflict parties from their own contexts and distract from the real and immediate challenges there.³² A balance therefore needs to be struck based on the needs of the groups involved and the anticipated benefits.

²⁸ For an overview, see: Clem McCartney et al. “Looking forward: connecting futures thinking, reconciliation and mediation”, (Conciliation Resources, 2022), <https://www.c-r.org/learning-hub/looking-forward-connecting-futures-thinking-reconciliation-and-mediation>. See also: Johanna Poutanen and Felix Kufus, “CMI’s Approach to Forward-Looking Dialogues”, *New England Journal of Public Policy*: vol. 36: 1, (2024), <https://scholarworks.umb.edu/nejpp/vol36/iss1/12/>.

²⁹ Nicholas Sambanis, Micha Germann and Andreas Schädel, “SDM: A New Data Set on Self-determination Movements with an Application to the Reputational Theory of Conflict” *Journal of Conflict Resolution*, vol. 62:3, (2017), <https://www.jstor.org/stable/48597311?seq=1>.

³⁰ See, for example, the work of: the Forum of Federations (<https://www.forumfed.org/about/>), an international organization that develops and shares comparative expertise on the practice of federal and decentralized governance through a global network; and International IDEA (<https://www.idea.int/about-us>), particularly in relation to constitution-building and rule of law, and political participation and representation.

³¹ For an overview of frequent stumbling blocks in peace negotiations, see Katrin Planta et al., *Learning Lessons from Failed Negotiations: A Strategic Framework*, (Berghof Foundation, 2014), <https://berghof-foundation.org/library/learning-lessons-from-failed-negotiations-a-strategic-framework>.

³² See, for example, Michelle Gehrig et al. *The USIP Learning Agenda: An Evidence Review: Building Trust in Peace Mediation*, (United States Institute of Peace, 2022), 19, <https://www.c-r.org/learning-hub/building-trust-peace-mediation>.

Talking about independence

In presenting a range of options MSAs should be clear that they are not trying to dissuade parties from a particular course of action, including calls for independence, but to demonstrate what is possible. They need to be clear that SD is a foundational principle of international law that cannot be negotiated; it is the means for achieving SD that parties are negotiating for. While state parties often resist entering into negotiations where the opposition is calling for independence, experience shows that not excluding any options for achieving SD (including independence) can actually enable a more constructive conversation as parties do not feel they are being denied the one thing they want. This then opens up space to also discuss solutions that fall short of independence. The challenge is to persuade state parties that taking independence off the table can be counterproductive, including by using examples from other situations. MSAs also need to be careful not to be perceived by states as siding with parties seeking independence. They may need to work with states to dispel misconceptions that groups with SD claims necessarily have separatist aspirations or that granting some form of self-governance within the state to a SD group may be a slippery slope for later independence claims, a precedent for claims from others, or possible state disintegration.

3 MSA positions, roles and connections in SD conflicts

3.1 Responding to a changing conflict and mediation landscape

As the world reckons with geopolitical flux and polarization, intensifying armed conflict³³ and a global climate crisis, societies with SD conflicts and the MSAs tasked with assisting them are struggling to meet the moment. This section highlights some of the trends in conflict and mediation and the implications for mediation support in addressing SD conflicts, including the need for MSAs to reassess their own roles, practice and interactions with other peace actors and the parties and societies they aim to support.

Increasing internationalization of conflicts

In an increasingly multipolar world, 100 countries have been at least partially involved in some form of external conflict in the past five years, up from 59 in 2008.³⁴ The influence of a kin state or other external powers involved in a conflict situation is not new; it is a common feature of SD conflicts. For those in places such as Abkhazia, South Ossetia,³⁵ the Occupied Palestinian Territories and Jammu and Kashmir, geopolitical rivalries can override the wishes and concerns of communities, stall negotiations and prevent the underlying causes of tensions from being addressed. In this era of increased power rivalries, additional or intensified competing external interests in conflicts where SD is an issue add another layer of complexity and unpredictability. This risks more interconnected and complicated webs of conflict which need to be understood by MSAs. Developments in foreign influences on conflicts therefore need to be analyzed, while also recognizing the ability to counter negative geopolitical forces will be limited. MSAs can, however, use their wider networks to try and help align external actors in a process. For example, forging relationships with diplomats, including representatives of state and regional bodies, and sharing information and analysis fosters better understanding of (new) dynamics and nuances of an SD conflict to inform positions and actions.³⁶

33 Institute for Economics and Peace, *Global Peace Index 2024: Measuring Peace in a Complex World* (Institute for Economics & Peace, 2024), <https://www.economicsandpeace.org/wp-content/uploads/2024/06/GPI-2024-web.pdf>.

34 Ibid.

35 Conciliation Resources, *Under the Pall of War: Implications of Russia's Invasion of Ukraine for Peace Processes in the South Caucasus*, (Conciliation Resources, 2022), <https://www.c-r.org/learning-hub/under-pall-war>.

36 For an in-depth exploration of the relationship see Maaïke Aans et al. "Peace Mediation and Diplomacy: Joining Forces for More Effective Cooperation", *Discussion Points of the Mediation Support Network (MSN) No. 11*, (2022), https://css.ethz.ch/en/publications/mediation-reports/msn-discussion-points/details.html?id=/p/e/a/c/peace_mediation_and_diplomacy_joining_fo.

Fragmentation and decentralization of conflicts

Peacemaking is becoming more fragmented.³⁷ More actors are involved in today's conflicts, each with their own patchwork of interests and relationships. 'Comprehensive' peace agreements are now rare, replaced by iterative, often less transformative agreements with more limited thematic and/or geographic scope. Meanwhile, digital drivers of violence are inherent to the new conflict landscape with mobilization of separate identities through online platforms and social media fueling conflicts and leading to the fragmentation of demands.³⁸ While these trends challenge MSAs to find ways to engage and support initiatives outside of formal high-level peace processes, the need to pivot away from 'the' process and develop new practice, including at the subnational level, can be beneficial in resolving SD conflicts. In many cases track 1 processes (i.e. those involving governments/elites and non-state armed actors) are dysfunctional or stalled – often because they are aligned with states' interests in maintaining the status quo. In other contexts, track 1 processes may not exist at all. MSAs can draw on lessons and examples from existing engagements at different levels and spaces in SD conflicts which have helped 'fill the gap' and make a tangible difference. In Kashmir, for example, there is no real prospect of a peace agreement but support for mediation and dialogue has helped improve people's lives.³⁹

Erosion of respect for international law

Increasing pushback against international norms and institutions means states and armed groups may be emboldened in their actions and more inclined to choose violence with less fear of severe consequences. This trend poses challenges for groups seeking more self-governance. The international legal framework available to address SD conflicts is inadequate and often fails to respond to the needs of affected people. Nevertheless, it does provide standards (including minority and indigenous peoples' rights) that provide guidance and set some parameters for achieving these goals including through forms of self-governance.⁴⁰ Many state parties have long resisted claims framed in rights terms and with international law under increasing duress

such resistance may become more widespread and entrenched. Using the standards as a reference point, while omitting rights language (e.g. by talking in terms of democratic participation), is one way to help a state engage on SD issues without feeling threatened.⁴¹

Limited or uneven attention to SD conflicts

Growing political tensions driven largely by the Russian invasion of Ukraine and growing tensions over Taiwan and the South China Sea, have seen Western states and their allies redirect much of the limited resources and attention devoted to conflict resolution towards defense and security assistance. This political choice to move from multi-level mediation to more transactional, elite deal making and hard security approaches sees the world's peace capabilities increasingly overstretched, potentially fueling conflict dynamics further. Meanwhile numerous less high-profile SD conflicts (e.g. Bougainville or the Somali Regional State of Ethiopia) are of little strategic interest and struggle to secure international support. Resources for mediation support are lacking or inadequate in many cases.

External actors may also consider SD conflicts to be too costly or difficult to resolve. MSAs need to continue to highlight and evidence the benefits of mediation support to influential international actors including donors. While many SD conflicts are protracted and can seem intractable, demonstrating progress e.g. local security improvements that create space for development, can help build confidence that change is possible and worth supporting. States can become more confident in engaging in SD conflicts with knowledge and analysis of how an SD lens shapes drivers and causes of conflict, creating ways of overcoming barriers to engagement such as de-listing of proscribed groups seeking SD.

An increasingly crowded mediation field

Increased diversification and a proliferation of peace mediation actors is also contributing to the need for MSAs to rethink their own roles and how they interact while responding to fragmentation. The growing involvement and influence of non-Western states, regional organizations and civil society organizations in mediation support brings a more diverse collection of worldviews, approaches and values – as well as interests to the field. While adding to complexity, it also brings opportunities for actors to take on different roles to leverage peaceful change in multiple ways. For example, incorporating Islamic principles of peacemaking can enable connections and understanding between MSAs and different communities through a shared language around peacemaking.⁴²

37 For a comprehensive analysis of the changing nature of the peace and mediation landscape, see Teresa Whitfield (ed.), "Still time to talk: adaptation and innovation in peace mediation", *Accord 30* (2024), https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Accord_30_Still_Time_to_Talk_-_Adaptation_and_innovation_in_peace_mediation_o.pdf.

38 See, for example, *ibid*, Section 4.

39 See, for example, *Mediating Self-determination Conflicts* (Conciliation Resources and the Sasakawa Peace Foundation, 2023), 31, <https://www.c-r.org/learning-hub/mediating-self-determination-conflicts>.

40 Key standards and texts include: the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic>, the UN Declaration on the Rights of Indigenous Peoples (2007), <https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples>, and the Proposal for a draft global convention on the rights of minorities (2023), https://docs.un.org/en/A/HRC/52/27_A/HRC/52/27_Annex_1_Article_20_of_the_Proposal_deals_specifically_with_the_right_to_forms_of_autonomy_or_self_governance.

41 *Mediating Self-determination Conflicts* (Conciliation Resources and the Sasakawa Peace Foundation, 2023), 40, <https://www.c-r.org/learning-hub/mediating-self-determination-conflicts>.

42 See Ebrahim Rasool et al. "Guide to Peacemaking Using Islamic Principles", (The Folke Bernadotte Academy, 2024), <https://fba.se/en/about-fba/publications/guide-to-peacemaking-using-islamic-principles/>.

Diversification and the sheer number of MSAs fuels competition for funding and entry points, which poses challenges in terms of complementarity, collaboration and coordination.⁴³ To adequately respond, MSAs must better engage and seek some kind of alignment with the wider collection of mediation players, including so-called ‘emerging actors’ who are not new, but whose influence and profile is increasing. Potential frameworks and approaches for this are discussed in Section 3.3.

3.2 Reevaluating MSAs’ positions, roles and added value

Conflict parties’ preferences for mediation support in SD conflicts

Incorporating an SD lens in analysis can help MSAs identify who brings added value or is best suited to a particular role. Relevant factors include profiles and mandates of individuals and institutions and how they will be regarded by conflict parties. For instance, state conflict parties often resist outsider ‘interference’ from the UN, (sub-)regional international organizations or individual states which they see as a threat to their sovereignty. Other states may accept an outsider role but will have preferences based on historical relationships and geopolitics. In parallel, SD groups may also resist involvement from specific states or international organizations which they feel have interests opposed to their SD goals (e.g. a bias towards protection of territorial integrity) or conversely seek international involvement as a means of gaining international credibility. In some cases, private or non-governmental actors may be more acceptable to parties for different reasons e.g. the state party may see them as ‘weak’ and less threatening, while an SD group may find them easier to trust. One or more parties may consider MSAs from the Global South more credible. MSAs who position themselves as providing dialogue rather than mediation may also be more acceptable.

The role of ‘insider’ mediators

Instead of accepting mediation support from a third-party outsider, some conflict parties may prefer to engage with ‘insider’ mediators (IMs).⁴⁴ Common characteristics of IMs such as knowledge of the context, including language(s), culture(s), actors and conflict dynamics, can be particularly helpful in SD conflicts featuring long histories involving multiple layers of grievances on both/all sides. IMs can draw on local tradition, culture, religion, spirituality and other inspirations, bringing empathy and cultural awareness to

a process. They are not impartial in the same way as outsider third parties often define themselves because they are an integral part of the community and have a stake in the conflict when their lives are directly affected by it. Their relationships with other stakeholders will inevitably be characterized by shared proximities in terms of e.g. culture, language, religion or geography, which may align with a party and their desired SD-related outcomes.⁴⁵

This ‘insider/partial’ position can be an asset because insider mediators have a stake in resolving the conflict and are intrinsically motivated to help do so through fair and non-violent means.⁴⁶ They usually place community or national interests over personal or party interests.⁴⁷ Because of their proximity to the situation and commitment to making peace, IMs may enjoy trust and influence that it can be hard for an outsider to gain. International MSAs need to understand the dynamics of insider mediation when considering whether and how to support or work alongside IMs, while also recognizing their own identities that may be viewed as partisan. Identity and partiality issues similarly apply when considering recruitment of local actors to a mediation support team.⁴⁸

3.3 Mapping and connecting mediation support in SD conflicts

Mapping actors and connections

Understanding how various mediation support efforts and initiatives intersect or impact one another helps ensure that, at the very least, they do not undermine one another. A comprehensive mapping of pro-peace actors is essential so that MSAs are aware of what others are doing to address SD conflicts and how their roles may also be evolving. These may include a range of peace-makers and peacebuilders involved in mediation, negotiation and dialogue processes, directly or in a support capacity. Considering roles and activities in other relevant sectors including humanitarian support, development and peacebuilding is also necessary, with a view to creating a functioning peacemaking ecosystem. Communicating and collaborating across disciplines and integrating different perspectives into mediation support can also contribute to more comprehensive and well-rounded approaches.

43 For an exploration of these challenges see Levinia Addae-Mensah et al. “Mediating Complex Conflicts in Africa: Reflections on Multi-Stakeholder Approaches”, *Discussion Points of the Mediation Support Network (MSN) No. 12*, (2024), https://css.ethz.ch/en/publications/mediation-reports/msn-discussion-points/details.html?id=/m/e/d/i/mediating_complex_conflicts_in_africa_r.

44 MSN participants cautioned against equating insider mediators with local mediators, as this assumption risks attaching a permanent label to mediators from the Global South.

45 Mir Mubashir et al. *OSCE support to Insider Mediation: Strengthening mediation capacities, networking and complementarity*, (Berghof Foundation, 2016), 31, <https://www.osce.org/files/f/documents/9/5/289101.pdf>.

46 Paul Wehr and John Paul Lederach “Mediating Conflict in Central America”, in *Resolving International Conflicts: The Theory and Practice of Mediation*, ed. Jacob Bercovitch, (Lynne Rienner Publishers, 1996), 55–74.

47 Mir Mubashir et al. *OSCE support to Insider Mediation: Strengthening mediation capacities, networking and complementarity*, (Berghof Foundation, 2016), 31, <https://www.osce.org/files/f/documents/9/5/289101.pdf>.

48 For more on practices of local ownership in Track Two diplomacy see: Susan Allen, “Evolving Best Practices: Engaging the Strengths of Both External and Local Peacebuilders in Track Two Dialogues through Local Ownership.” *International Negotiation* 26:1 (2021).

Human rights and social justice are particularly relevant in SD conflicts where rights violations are the source of conflict and respect for rights is integral to sustained peace. While tensions between human rights and peace mediation are often highlighted,⁴⁹ practitioners essentially have the same goals, which is to build just and peaceful societies. Furthermore, the situation on the ground does not generally fit with the siloed sectoral approaches the international community tends to impose. There is ample evidence of human rights and peace practitioners, including MSAs, complementing and mutually supporting one another's work through coordination and exchange at national and subnational levels.⁵⁰ For some groups it can make sense to pursue SD aspirations simultaneously through human rights/social justice organizations or approaches, as well as in mediation spaces. The role of the economy and private sector in relation to peace mediation is also a crucial component of analysis that MSAs need to be aware of and link to where appropriate. For example, the business community in Northern Ireland played a positive role in articulating the economic rationale for peace and lobbying for a peaceful resolution to the conflict.⁵¹

Frameworks and approaches for better aligned mediation support

Linking local/community level peace and mediation actors into higher level tracks (e.g. negotiations between a government and non-state armed actors) has been the focus of many initiatives, with INGOs often playing a role. But vertical integration efforts to leverage track 2 and 3 dialogues into track 1 level processes have had limited success. The increasingly piecemeal nature of the conflict and mediation landscape – particularly in SD conflicts where high-level processes are often blocked or non-existent – renders a focus on linking everything to a track 1 process less compelling. A rethink of the prevalent ‘track hierarchy’ framework may therefore be helpful when considering connections.

Different frameworks have been suggested for a more coherent and aligned mediation support field. A ‘multimediation’ approach can potentially be helpful in SD conflicts to acknowledge the manifold overlapping mediation and dialogue processes directed towards particular problems and actors that make up complex conflict systems and often exist outside of official ne-

gotiations.⁵² While it does not necessarily negate the need for a high level process which may be necessary to engage with elite power holders, such an approach can help ensure that the value of mediation and dispute resolution work undertaken at different levels is recognized and supported effectively. It can also be helpful in understanding when to make connections and when this can be harmful.⁵³

Box 7

Finding alignment among mediation support actors in the Bangsamoro Autonomous Region in Muslim Mindanao, the Philippines

After almost 30 years of violent conflict in the predominantly Muslim areas of central and western Mindanao in the southern Philippines between the government and an armed separatist movement, the government began engaging a new splinter group, the Moro Islamic Liberation Front (MILF), in dialogue. The government had just concluded an agreement for regional autonomy with the Moro National Liberation Front (MNLF). Dissatisfied with the terms of the agreement, the MILF continued fighting while negotiating for peace.

Following multiple interruptions and crises that derailed the process, the conflict parties began to bring other international actors into the process to act as guarantors to prevent the process from further delays. Having brought these actors into the process, the parties agreed to formalize their role, setting up the International Contact Group (ICG) in 2009. The ICG is composed of four states – the United Kingdom, Japan, Turkey and Saudi Arabia; and four INGOs – Conciliation Resources, Muhammadiyah, The Asia Foundation, and the Centre for Humanitarian Dialogue.⁵⁴

The conflict parties defined the role of the ICG to “accompany and mobilize international support for the peace process” and to “exert proper leverage and sustain the interest of the parties as well as maintain a level of comfort that restores mutual trust”. However, the value of the ICG was most clearly shown in times when the talks broke down. Here, the ICG members would meet with the facilitator and shuttle between parties to identify ways forward. Outside of the talks, the ICG ensured international backers of the peace process, both states and INGOs, provided complementary forms of support: the UK and

49 United Nations, “DPPA-OHCHR Practice Note: Enhancing the quality and effectiveness of mediation efforts through human rights”, (2023): 7, <https://www.ohchr.org/en/documents/tools-and-resources/dppa-ohchr-practice-note-enhancing-quality-and-effectiveness>.

50 For analysis of the connections and examples see the UN DPPA-OHCHR Practice Note; and Katrina Månsson, “Human rights in mediation: The heart of the matter”, (Berghof Foundation, 2023), <https://berghof-foundation.org/library/human-rights-in-mediation>.

51 See, for example, Democratic Progress Institute, *The Role of Business in Northern Ireland's Peace Process*, (Democratic Progress Institute, 2017), <https://www.democraticprogress.org/wp-content/uploads/2017/08/The-Role-of-Business-in-Northern-Ireland's-Peace-Process.pdf>. For more on the possible role of the private sector in supporting peace see Mina Vaish, “Policy Brief: Peace and the private sector: Opportunities for private sector involvement in peacebuilding”, (Ottawa Dialogue, 2024), <https://ottawadiologue.ca/wp-content/uploads/2024/03/Mina-Policy-Brief-4032024.pdf>.

52 Christine Bell, “‘Multimediation’: adapting in response to fragmentation”, in Teresa Whitfield (ed.), “Still time to talk: adaptation and innovation in peace mediation”, *Accord 30* (2024), 27–30, https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Accord_30_Still_Time_to_Talk_-_Adaptation_and_innovation_in_peace_mediation_o.pdf.

53 See also the special issue of the *Journal of Intervention and Statebuilding*, vol. 19:1 (2025), devoted to “Patchworked Peacemaking.” The term describes an approach whereby discrete connections, or “patches,” can be fashioned, on an ad hoc and case-by-case basis, between specific activities at various levels/tracks of peacemaking. See, in particular: Andreas Hirblinger and Julia Palmiano Federer, “Introducing Patchworked Peacemaking: Moving Beyond the Multitrack-Inclusion Nexus”, <https://www.ingentaconnect.com/content/routledg/risb20/2025/00000019/00000002/art00001>, and Peter Jones, “Multitrack Diplomacy and Inclusion: Is Patchworked Peacemaking Really a Way Forward?”, <https://www.ingentaconnect.com/content/routledg/risb20/2025/00000019/00000002/art00008>.

54 For more on the role of the ICG and analysis of hybrid mechanisms see Christian Herbolzheimer and Emma Leslie, *Innovation in mediation support: The International Contact Group in Mindanao* (Conciliation Resources, 2014), <https://www.c-r.org/resource/innovation-mediation-support-international-contact-group-mindanao>.

Japan provided diplomatic leverage and financial support, while INGOs worked with local civil society to promote cross-community dialogue and invited external experts to share lessons from other peace processes with the parties, as well as with civil society in Mindanao.

The ICG helped resolve differences over international involvement between the government, which was wary of international actors undermining its sovereignty and interfering in its internal affairs, and the MILF, who were keen to balance asymmetry by bolstering their international profile and networks. It provided a mechanism by which states and INGOs could coordinate and make the most of their complementary qualities, while building better understanding and relationships.

Investing in local processes and peace infrastructure

MSAs can also seek to persuade government conflict parties to buy into localized processes that can potentially keep momentum if a process gets stuck as well as to create space for high level formal processes.⁵⁵ Investment in the broader peace infrastructure of the country at different levels is also vital for sustainable peace. Processes may be supported by national governments and/or donors and their effectiveness hangs on both sufficient resources and representation of all stakeholders.

3.4 Communicating MSA positions, roles and added value

Perceptions of MSAs

MSAs always need to consider how they portray themselves to different audiences to maintain credibility for themselves and the process they are supporting. While individual mediation support practitioners accept this balancing act as a core element of the role, SD groups and governments can be unclear about what MSAs do, their principles and approaches and their relevance in SD conflicts specifically. For instance, while MSAs tend to emphasize their impartiality, conflict parties often see them as biased, whether towards particular outcomes, understandings or for the interests of the organization or institution that backs them. For example, a donor state and the mediation organization funded by them are not always perceived as separate entities, leading to the perception that the latter is an extension of the foreign ministry concerned. This can be problematic given conflict parties' concerns about external

states involvement and positioning. Where parties and their constituencies see MSAs differently than they see themselves, such misunderstandings can lead to differences in expectations and potentially frustration.

MSA communications

MSAs can be clearer with conflict parties about their mandates, approaches and principles, and what they each offer. They need to find more accessible ways to communicate how they have previously supported conflict parties in mediation processes where SD is an issue and how they see their role and approach in such contexts. Here, it can also be helpful to highlight their approach to analyzing the SD dimension of conflicts and the normative frameworks they use as a reference point. Such communications would help conflict parties choose the most appropriate mediation support partner and give them more realistic expectations of what mediation support in SD conflicts looks like and what is expected from them. An example is given below.

Box 8

The role of Serapaz as a trusted intermediary

Servicios y Asesoría para la Paz (Serapaz) is an independent organization created by Samuel Ruiz, bishop of San Cristobal de las Casas in Mexico, to support the national commission for mediation during the dialogue process between the Zapatist National Liberation Army (EZLN) and the federal government between 1994 and 1996. The formation of the EZLN as an armed group in the late 1980s had its roots in the poverty and marginalization of indigenous people of Chiapas, many of whom had no access to land, faced forced labor conditions and lacked access to healthcare, housing, education and other basic human rights. From 1970–1980, indigenous people made several attempts at organizing to claim their equal rights, but faced serious consequences and persecution by the government. During this time, the church of Samuel Ruiz became a place where the Zapatist movement organized itself and spread the word of rebellion.

By the time of the movement's first public uprising in January 1994, many within civil society identified with their cause and the need for change. A major civil movement emerged calling for an end to violence and to find a solution through dialogue. The government and the Zapatist movement quickly moved to initiate a process known as the San Andres Dialogues. Ruiz's long track record of service for communities in Chiapas gave him the credibility required to be selected as the mediator in this process by the EZLN. Recognizing that Ruiz's connections and understanding would benefit the process, the government accepted him. A group of advisors chosen by Ruiz went on to found Serapaz.

Throughout the process, Serapaz never claimed to be neutral and explicitly aimed to address the social injustices which fueled the conflict, but to ensure that this was done through peaceful means and dialogue. The approach continues today with a focus on creating balance between the conflict parties in negotiations, supporting social movements in diagnosing and understanding the causes of conflict and developing

⁵⁵ For insights and debates on localization in peacebuilding and mediation, see, for example, Susan Allen "Evolving Best Practices: Engaging the Strengths of Both External and Local Peacebuilders in Track Two Dialogues through Local Ownership", *International Negotiation* 26:1 (2021); Roger MacGinty and Oliver Richmond, "The Local Turn in Peace Building: A Critical Agenda for Peace," *Third World Quarterly* 34:5 (2013); Arthur Boutellis, Delphine Mechoulam, and Marie-Joelle Zahar, *Parallel tracks or connected pieces?: UN peace operations, local mediation, and peace processes* (United Nations, 2020); and Sara Hellmüller, "Owners or Partners? A Critical Analysis of the Concept of Local Ownership," in *Is Local Beautiful? Peacebuilding Between International Interventions and Local Led Initiatives*, ed. Sara Hellmüller and Martina Sachs (Springer, 2014).

long-term strategies to transform them, before advocating for those proposals with the government. Serapaz frames its role as a service for social actors, amplifying their concerns and ideas, but is careful to build relationships with all the conflict parties. It does not accept funding or support from the government or enterprises or respond to requests without agreement from the social movements they work with.

Rather than alienate the government, Serapaz's position provides assurance that they will be treated respectfully and given truthful information and advice, grounded in close relationships with affected communities. As such, the government can engage with Serapaz to gain a more nuanced understanding of the conflict, helping them act in ways that reduce the likelihood of further violence. Despite some closing of spaces for civil society, the government still engages with Serapaz to build and update its understanding of grievances in the country and the motivations and perspectives of the social movements.

Learning from conflict parties

MSAs must also learn from conflict parties with SD claims to improve their own practice and ensure the support they provide is appropriate and meaningful. Networks or learning platforms enabling SD groups and MSAs to share experiences with one another can be invaluable in harnessing perspectives and lessons to inform future work. The Resistance and Liberation Movement's Network on Negotiations⁵⁶ convened by the Berghof Foundation is a case in point. This global network is composed of negotiators from various armed movements, most of them engaged in SD-related struggles, who gather annually to discuss contemporary negotiation challenges. Groups also benefit from tailored negotiation support designed to address their specific needs. This network acts as a platform for learning and exchanging insights on negotiation topics and skills, drawing from both peers and third-party mediators. Over the years, the initiative has developed into an innovative space, enhancing conceptual understanding and providing practical tools to effectively tackle the multifaceted conflicts we face today. Such networking and interaction between parties and MSAs also enables discussions around mediation support models and assumptions. For example, MSAs are often taught that parties 'own' the content of a mediation process and the mediators (and their support teams) should not influence the content of discussions. However, as discussed in Section 2.4, MSAs can play a helpful role in introducing options and experiences into negotiations, if done sensitively.

4 Conclusion

As this paper aims to illustrate, using an SD lens is not a panacea for resolving SD conflicts, but used in conjunction with other frameworks for analysis it can provide MSAs with insights, entry points and options for supporting conflict parties and societies to address their differences. The lack of political will to engage with SD claims and the grievances that underlie them on one hand and entrenched positions of parties with claims on the other are not easily shifted. A better understanding of SD conflict drivers and dynamics enables MSAs to play a more effective role in supporting parties to address these issues. For example, clarifying the dominant divisions and inequalities in society through data-driven analysis can help MSAs dispel myths and get to the root causes of conflict. Analysis through an SD lens may also suggest new items for inclusion on the agenda for peace talks or might help identify communities to be represented or consulted as part of a peace process. For conflict parties, an SD lens can help in reconsidering agendas and positioning that may lead to more productive engagement with one another.

Analysis and action need to be considered in the light of a rapidly evolving conflict and mediation landscape and how developments and trends relate to the SD conflict dynamics. While many trends pose increased challenges, some may have a silver lining. For example, recent attacks on the international order such as the US president's proposed 'takeover' of Greenland, Gaza and Canada raise fundamental questions of sovereignty, identity and governance, which relate to many other contexts around the world. MSAs are encouraged to take advantage of this moment to open discussions about SD in political discourse and mainstream media.

⁵⁶ For more information about the project see: <https://berghof-foundation.org/work/projects/negotiation-support-to-rlms>.

Mediation Support Network

Profile

The Mediation Support Network (MSN) is a small, global network of primarily non-governmental organizations that support mediation in peace negotiations.

Mission

The mission of the MSN is to promote and improve mediation practice, processes, and standards to address political tensions and armed conflict.

Furthermore, the MSN connects different mediation support units and organizations with the intention of:

- promoting exchange on planned and ongoing activities to enable synergies and cumulative impact;
- providing opportunities for collaboration, initiating, and encouraging joint activities;
- sharing analysis of trends and ways to address emerging challenges in the field of peace mediation.

Activities

The MSN meets once a year in different locations. The organization of the meetings rotates, with each meeting hosted by a network partner. Each meeting has a primary topical focus that is jointly decided by all network members.

MSN Members in April 2024

- African Centre for the Constructive Resolution of Disputes (ACCORD) www.accord.org.za
- Berghof Foundation www.berghof-foundation.org
- The Carter Center www.cartercenter.org
- Centre for Humanitarian Dialogue (HD) www.hdcentre.org
- Centre for Peace and Conflict Studies (CPCS) www.centrepeaceconflictstudies.org
- Center for Peace Mediation (CPM) www.peacemediation.de
- Centro de Investigación y Educación Popular – Programa por la Paz (CINEP) www.cinep.org.co
- Clingendael Academy www.clingendael.org
- CMI – Martti Ahtisaari Peace Foundation: www.cmi.fi

- Conciliation Resources (CR) www.c-r.org
- CSSP Berlin Center for Integrative Mediation (CSSP) www.cssp-mediation.org
- Folke Bernadotte Academy (FBA) <https://fba.se/en>
- The Institute for Integrated Transitions (IFIT): www.ifit-transitions.org
- The Mediation and Dialogue Research Center (MDRC), www.md.ukma.edu.ua
- Mediation Support Project (MSP), swisspeace and Center for Security Studies (CSS) ETH Zurich www.swisspeace.ch & www.css.ethz.ch
- NOREF Norwegian Centre for Conflict Resolution (NOREF), www.noref.no
- Ottawa Dialogue, www.ottawadialogue.ca
- Puntland Development and Research Center (PDRC), www.pdrconsomalia.org
- Sasakawa Peace Foundation, www.spf.org/en
- Search for Common Ground (SfCG) www.sfcg.org
- Servicios Y Asesoría Para La Paz (SERAPAZ) www.serapaz.org.mx
- Southeast Asian Conflict Studies Network (SEACSN) www.rep.usm.my/index.php/en/seacsn/about-seacsn
- UN Mediation Support Unit (PMD/MSU) www.peacemaker.un.org/mediation-support
- West Africa Network for Peacebuilding (WANEP) www.wanep.org
- Zimbabwe Institute (ZI) www.zimbabweinstitute.net

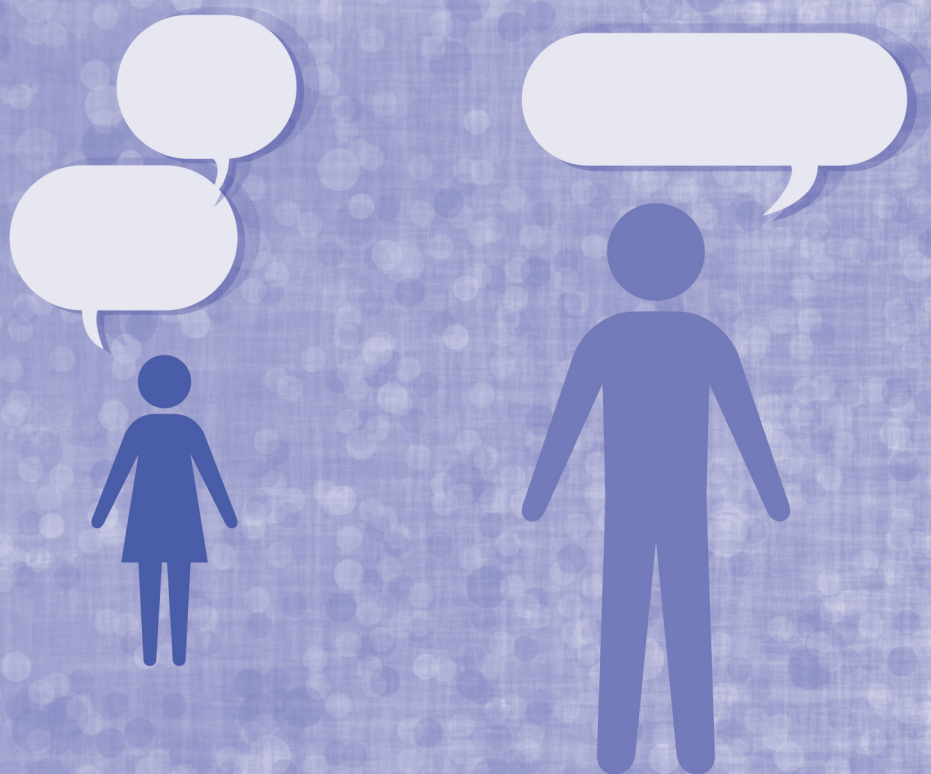
Previous MSN Discussion Points:

MSN Discussion Points no.12. *Mediating Complex Conflicts in Africa: Reflections on Multi-Stakeholder Approaches, 2023*

MSN Discussion Points no.11. *Peace Mediation and Diplomacy: Joining Forces for More Effective Cooperation, 2022*

MSN Discussion Points no. 10. *Implementing Peace Agreements: Supporting the Transition from the Negotiation Table to Reality, 2020*

MSN Discussion Points no.9, *Translating Mediation Guidance into Practice: Commentary on the Guidance on Gender and Inclusive Mediation Strategies, 2017*



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