

Literature Review

1. Foundations of the field of **Mediation**, emphasis on the **Oslo Process** (5 Articles)

a. Articles

- i. Usher, G. (1999). *Dispatches From Palestine: The Rise and Fall of the Oslo Peace Process*. Pluto Press. <https://doi.org/10.2307/j.ctt18fsbd1>
 1. This book contains various chapters from the region before, during, and after the years of the Oslo accords, it documents the political developments before the 93' such as the rise of Hamas as well as the Jericho first during the early phases of Oslo. There are also chapters concerning the repercussions of Oslo as well as the international musings that came about from this. As well as an interview with Yossi Beilin in Chapter 19.
- ii. Bauck, P., & Omer, M. (Eds.). (2013). *The oslo accords 1993-2013 : a critical assessment*. American University in Cairo Press. <https://web-p-ebscohost-com.jcu.idm.oclc.org/ehost/detail/detail?vid=0&sid=ca1b9068-cc5a-4fbf-897d-5bf3da3e0db8%40redis&bdata=JnNpdGU9ZWwhvc3QtbGl2ZQ%3d%3d#AN=1843446&db=nlebk>
 1. This book offers an assessment of the Oslo accords in its entirety two decades after its conclusion. Essentially, this book writes with a great deal of hindsight from the failings of the Oslo process, as well as the lessons that could be taken away decades on.
- iii. Deeb, D. J. (2013). *Israel, palestine, and the quest for middle east peace*. University Press of America. <https://ebookcentral-proquest-com.jcu.idm.oclc.org/lib/johncabot/detail.action?docID=1362621>
 1. A historical narrative of the events between Israel and Palestine and the book advances the premise that the Palestinian question as well as its conclusion is crucial to global peace.
- iv. Eisenberg, L. Z., & Caplan, N. (2010). *Negotiating Arab-Israeli peace, second edition : Patterns, problems, possibilities*. Indiana University

Press. <https://ebookcentral-proquest-com.jcu.idm.oclc.org/lib/johncabot/detail.action?docID=557026>

1. Examines the history of recurrent efforts to resolve the Arab Israeli conflict and identifies a pattern of negative negotiating behaviors that seem to repeatedly derail efforts to achieve peace. The book further examines eight case studies of recent Arab-Israeli diplomatic encounters, from the Egyptian Israeli peace of 1979 to the beginning of the Obama administration, in light of the historical record. By measuring contemporary diplomatic episodes against the pattern of counterproductive negotiating habits, this book makes possible a coherent comparison of over sixty years of Arab-Israeli negotiations and gives readers a framework with which to assess the relative strengths and weaknesses of peace-making attempts, past, present, and future.

- v. Podeh, E. (2015). Chances for peace : missed opportunities in the arab-israeli conflict (First). University of Texas Press. <https://ebookcentral-proquest-com.jcu.idm.oclc.org/lib/johncabot/detail.action?docID=4397268>

1. Drawing on a newly developed theoretical definition of "missed opportunity," Chances for Peace uses extensive sources in English, Hebrew, and Arabic to systematically measure the potentiality levels of opportunity across some ninety years of attempted negotiations in the Arab-Israeli conflict. With enlightening revelations that defy conventional wisdom, this study provides a balanced account of the most significant attempts to forge peace, initiated by the world's superpowers, the Arabs (including the Palestinians), and Israel.
2. Professor Elie Podeh is a Bamberger and Fuld Chair in the Department of Islamic and Middle East Studies at the Hebrew University of Jerusalem and a senior research fellow at the Harry S. Truman Institute for the Advancement of Peace

- vi. Through Secret Channels – The Road to Oslo: Senior PLO Leader Abu Mazen's Revealing Story of the Negotiations With Israel, **Mahmoud**

Abbas. <https://www.garnetpublishing.co.uk/product/through-secret-channels-the-road-to-oslo-senior-plo-leader-abu-mazens-revealing-story-of-the-negotiations-with-israel/>

- vii. Wanis-St. John, A. (2006). Back-channel negotiation: International bargaining in the shadows. *Negotiation Journal*, 22(2), 119–144.
<https://doi.org/10.1111/j.1571-9979.2006.00091.x>

1. The Palestinian–Israeli peace process, in which both back and front channels have been used consistently, provides the basis for comparing channels and offering initial answers to these questions. The author concludes that while BCN can facilitate breakthrough agreements, *it can also damage a peace process by helping to reinforce some of the uncertainties that gave rise to the use of back channels in the first place.*

2. **Competition from New Actors** in the field, especially from **2000 onward** (5 Articles)

a. Articles

- i. Pradt, T. (2012). *Israeli-palestinian negotiations in the 1990s : How ngos facilitated the peace process : how ngos facilitated the peace process*. Diplomica Verlag.

1. This book makes the connection between the severity/violence of the conflict and how this necessitates the need for **secrecy** in a conflict. It also finds that NGOs are integral to peace negotiations in the current climate of mediation. Example citation from the book “In general, the more violent the character of a given conflict is, the more secret the mediation attempt should be, to avoid deadly reactions in the phase of considering ideas. A less violent conflict like the issue of the Spratly Islands in the South China Sea, for example, can be discussed more publicly” (p. 22).

- ii. Ylonen, A. (2014). Security regionalism and flaws of externally forged peace in sudan : the igad peace process and its aftermath. *African Journal on Conflict Resolution*, 14(2), 13–39.

1. This article talks about American backchannel actions during the IGAD peace process in Sudan. It also mentions “secret

promises” that the US gave to some of the actors in behind-the-scenes meetings during the process.

- iii. Kaye, J. (2011). Informing grassroots development: the 1994-1995 peacebuilding experience in northern ghana. *The Journal of Development Studies*, 47(3), 417–417.

<https://doi.org/10.1080/00220388.2010.506921>

1. This article poses that the grassroot approach of NGOs is a more effective way to go about peace negotiations, at least in this case. It distinguishes between the grassroots approach that the NGOs used in this case, from the more top-down approach of the state. Kaye also notes the failure of the state to recognize the effectiveness of NGOs with regard to the peace process as they frequently make up for the shortcomings of the state regarding, but not limited to the social service sector in the area giving them a much more “bottom-up” perspective compared to other actors.

- iv. ORCHARD, P. (2017). Transnational Humanitarian Action and Regime Complexity: The Case of Syria. In D. MALET & M. J. ANDERSON (Eds.), *Transnational Actors in War and Peace: Militants, Activists, and Corporations in World Politics* (pp. 168–184). Georgetown University Press.

<http://www.jstor.org/stable/j.ctt1pv88vk.12>

1. Here Orchard talks of the collective NGO response to the Syrian conflict and how the multitude of NGOs have united their response following a set of core values in the area which include but are not limited to, neutrality, independence, and not bound by any religious or political influences.
2. The paper also talks of the complex work NGOs have in Syria as well as how they operate across different regimes in the area. There are also distinctions to be made in how these organizations use their differing authorities in dealing with regimes.

- v. ANDERSON, M. J. (2017). Women’s Advocacy Groups in Peace Negotiations. In M. J. ANDERSON & D. MALET

(Eds.), *Transnational Actors in War and Peace: Militants, Activists, and Corporations in World Politics* (pp. 185–196). Georgetown University Press. <http://www.jstor.org/stable/j.ctt1pv88vk.13>

1. “It is now a globally accepted norm for women to participate in peace negotiations. This has been the result of women’s transnational activism in individual states experiencing conflict and their efforts at the international level, which has resulted in strengthened global norms on women, peace, and security. Although there are now multiple United Nations (UN) Security Council resolutions that address women, peace, and security, women face continued resistance to participating in peace talks. Despite these barriers, women are often successful in gaining a place at peace negotiations and in securing women’s rights in peace agreements”.

vi. Malet, D., & Anderson, M. J. (Eds.). (2017). *Transnational actors in war and peace : militants, activists, and corporations in world politics*. Georgetown University Press.

3. The Evolution of thinking about **Confidentiality and Back Channels**, especially **after 2011** (5 Articles)

a. **Articles**

- i. Koopmans, Sven M. G. *Negotiating Peace : A Guide to the Practice, Politics, and Law of International Mediation*. First edition., First ed., Oxford University Press, 2018.

1. Discusses the following topics: Who can mediate between warring parties? How to build confidence between enemies? Who should take part in negotiations? How can a single diplomat manage the major powers? What issues to discuss first, what last? When to set a deadline? How to maintain confidentiality? How to draft an agreement, and what should be in it? How to ensure implementation? The book discusses the practical difficulties and dilemmas of negotiating agreements, as well as existing solutions and possible future approaches.

- ii. Zartman, I. W. (Ed.). (2015). *Arab spring : negotiating in the shadow of the intifadat* (Ser. Studies in security and international affairs).

University of Georgia Press.

1. These are a collection of many articles on negotiation around the time of the Arab spring and some are also country specific.
2. These previously unpublished, countryspecific case studies of the uprisings and their still unfolding political aftermaths identify patterns and courses of negotiation and explain why and how they occur. The contributors argue that in uprisings like the Arab Spring negotiation is "not just a 'nice' practice or a diplomatic exercise." Rather, it is a "dynamically multilevel" process involving individuals, groups, and states with continually shifting priorities-and with the prospect of violence always near. From that perspective, the essaysits analyze a range of issues and events-including civil disobedience and strikes, mass demonstrations and nonviolent protest, and peaceful negotiation and armed rebellion-and contextualize their findings within previous struggles, both within and outside the Middle East. The Arab countries discussed include Algeria, Bahrain, Egypt, Libya, Morocco, Syria, Tunisia, and Yemen. The Arab Spring uprisings are discussed in the context of rebellions in countries like South Africa and Serbia, while the Libyan uprising is also viewed in terms of the negotiations it provoked within NATO.

- iii. <https://www.american.edu/sis/faculty/upload/wanis-back-channel-working-paper.pdf>

1. AN ASSESSMENT OF BACK CHANNEL DIPLOMACY: NEGOTIATIONS BETWEEN THE PALESTINIANS AND ISRAELIS
2. In this paper, historical uses of back channel negotiation will be surveyed to provide historical context and lay the foundation for initial assessments of this tool of diplomacy. A landmark case of contemporary back channel diplomacy will be analyzed: the negotiations between the Palestinians and Israel

that took place from **1991-1993**. The case will serve to test ideas on back channel negotiation, assess this diplomatic phenomenon and point to lines of inquiry regarding future uses of this instrument of negotiation.

3. This paper could be a valuable piece of literature regarding the events between Israel and Palestine that led to the Oslo Accords.
- iv. Hirblinger, Andreas. (September, 2020). Digital Inclusion in Mediated Peace Processes: How Technology Can Enhance Participation. No, 168. *USIP*. https://www.usip.org/sites/default/files/2020-09/20200929-pw_168-digital_inclusion_in_mediated_peace_processes_how_technology_can_enhance_participation-pw.pdf
1. This resource analyses how digital media (Social Media, etc) is being utilized in the area where peace mediation is needed as well as how the actors in the area has started to use digital media as well. This report posits the advantages of Digital Technologies but recognizes that it is perhaps not being utilized as much as it should be, instead the actors focusing more on the negative aspects of Digital Technology.
- v. Lanz, David. Eleiba, Ahmed. (December, 2018). The Good, The Bad, and the Ugly: Social Media and Peace Mediation. Policy Brief *Swiss Peace*.
<https://www.swisspeace.ch/assets/publications/downloads/Policy-Briefs/aa3fc8830f/Social-Media-and-Peace-Mediation-Policy-Brief-12-2018.pdf>
1. This article talks of the presence of social media in conflict negotiations and how this can complicate the negotiation process with regard to the role of mediators. It mentions that social media allows the parties to reach out to the public in a much more effective manner than previously seen, and that this definitely impacts how the process of the mediations take place.
 2. While the report does conclude that social media is present and has effects on the peace mediation environment, it does not

necessarily say that this will revolutionize the space, that the practice will still very much remain a human practice as well as actors. Despite this being the case however, the report did mention that social medias must be taken into account and not ignored. It also mentions that social media would be beneficial in communication strategies of the concerned actors given its efficiency to reach people effectively.

Institutions:

Center for Humanitarian Dialogue (HD)

1. Specializes in **cease fires**
2. HD details much of the places they operate in around the world, as well as those who head these respective operations.
3. Current places where HD is active/has been active
 - a. **Francophone Africa** (Regional Director: **Alexandre Libeskind**)
 - i. Sahel region, Chad, Mali, Burkina Faso, Niger, Mauritania, Senegal, Niger, Togo, Cameroon, Car
 - b. **Anglophone and Lusophone Africa** (Regional Director: **Babatunde Afolabi**)
 - i. Ethiopia, Somalia, Nigeria, Mozambique, Sudan, South Sudan.
 - c. **Northeast Asia** (Regional Director: **Jinghua Lyu**)
 - i. Korean Peninsula
 - d. **Southeast Asia** (Regional Director: **Ye-Min Wu**)
 - i. Philippines (Bangsamoro operations in the south)

- ii. Regional dialogue facilitations between Sri Lanka, Thailand, Myanmar, and Indonesia.
 - iii. Emphasis given to the South-China sea in hopes of mitigating conflict and working together with the coastguards of those concerned.
- e. **Eurasia** (Regional Director: **David Gorman**)
 - i. Between Moldova, Armenia, and Azerbaijan because of the breakaway region of Transnistria. Bosnia and Herzegovina, Kosovo.
- f. **Latin America**
 - i. Colombia, Costa Rica, Venezuela
- g. **Middle East & North Africa** (Regional Director: **Romain Grandjean**)
 - i. Libya, Yemen, Syria, Tunisia, Lebanon, Iraq

To put a stop to the killing, these two men spend their entire day talking

<https://diplomatie-humanitaire.org/en/to-put-a-stop-to-the-killing-these-two-men-spend-their-entire-day-talking/>

Back-channel talks have pushed Thai peace talks forward, sources say

<https://www.benarnews.org/english/news/thai/deep-south-peace-talks-03302022133524.html>

International mediator Wu Ye-Min on the secret to successful negotiations

<https://www.thepeakmagazine.com.sg/gallery/interviews/international-mediator-wu-ye-min-on-the-secret-to-successful-negotiations/>

The Centre for Humanitarian Dialogue (HD) may be the biggest peace facilitation organization of its kind, there seems to be little to no detailed resource on how it does its operations. From the links given above however, there seems to be some common themes. Much of what HD is doing is active, and a lot of its operations are top-secret, and at times they are sent by governments for particular objectives. HD tries to appear transparent as possible, if one looks at their websites, one can easily find those who head each regional office as well as the senior staff. It is also easy to find the areas of the world they operate in

as shown above. But only passing remarks such as “HD facilitated this ____” or that “HD took part in ____ country” but never any actual operational details, suffice to say, secrecy seems to be of utmost importance. Therefore, this report tried to find information on the people who are active personalities of HD, of which regional director Ye-Min Wu is one of them. In an interview with Singaporean magazine *The Peak*, she passingly mentions that HD goes into a conflict first and tried to talk to as much people as they can. Much of the article talks of how to treat each person they talk to “warmth”, but importantly, no distinction was made as to how these people were chosen to converse with. Interesting still is that there seems to be an emphasis of talking to people irrespective of who they are that the most important thing is to simply talk to these people in the conflict area.

“HD is what we call ‘the boots and the suits’. We go on the ground to understand the situation, complexities, and needs, and thereafter we take that back up directly to the governmental or official level. This means that whatever that’s being negotiated becomes more meaningful and sustainable,” she describes.

(<https://www.thepeakmagazine.com.sg/gallery/interviews/international-mediator-wu-ye-min-on-the-secret-to-successful-negotiations/>)

There seems to be a very meaningful “data gathering phase” where HD operationally, goes into a conflict and tries to listen to as many different perspectives as they can. This data gathering stage seems to be rather fluid and sometimes, HD does things that not all parties agree to at times.

2022 in Kuala Lumpur during peace talks between Thailand and BRN insurgents, HD set up secret back-channel talks. The Malaysians were upset as an international NGO was the one that facilitated these back channels, as well as the BRN as apparently this was done without their approval. However, the secret back channels in the end proved beneficial as forwarded by Thai officials (<https://www.benarnews.org/english/news/thai/deep-south-peace-talks-03302022133524.html>). This tells us that even within the negotiations secrecy is maintained. HD seems to be operating at a very case by case basis and maintains a tremendous level of secrecy during the initial phases of a conflict. And even when it acknowledges their involvement during a conflict, it is usually a passing remark without much information, such as those displayed in their website.

Funding seems to be a contentious issue as well, in a very rare article by Jana Simon, *Die Zeit* followed Romain Grandjean and David Gorman, both of which are regional

directors for HD. Grandjean for the Middle east and North Africa, and Gorman for Eurasia. The article detailed times in which the director/s were asked as to who they received money from, and the answer was frank as they said countries such as Norway, Switzerland, Germany, the EU etc. Interestingly, the directors did not seem that hesitant in stating the countries that funded HD, but were hesitant when the private investors were asked about. The article also talked of the directors hesitant in receiving too much money from countries who had too much interest in the countries in question, perhaps as a way for HD to remain impartial. Information regarding HD and all its operations revolve around an air of secrecy, especially during the initial times of the conflict, and there seems to be secret negotiations happening even during the negotiations themselves during the course of the talks. The resources were scarce to say the least but a few things from HD stand out, they are willing to talk to anyone and they seem to be very good at doing so, they collaborate with different parties depending on the project, and their approach seems to constantly shift depending on the situation.

Berghof

In contrast with their Swiss counterparts in Lac Lemman, Berghof seems to be more transparent with regard to its affiliations compared to the Centre for Humanitarian Dialogue (HD). There are scores of funders listed in their website much more details compared from HD, and these entities range from large organizations such as the EU itself, to German Federal Institutions, of which there are a number of them, even to other foreign organizations of which swisspeace is included. This is the same story for their partners listed, of which also a large number of them are present and their site details exactly who they are. This is relevant given this is in stark contrast to HD who mostly only give passing remarks to who they collaborate with, as well as the regions they work in, and not much else. Further still is the work of HD and Berghof seem to differ with regard to their goals as HD seems to focus more on the initial phases of the conflict such negotiations, ceasefires, etc. And Berghof seems to be focused on what comes after a general peace is established as opposed to the initial negotiations phase taken up by their southern counterparts. If one looks at their listed current projects, one would find words such as “building, education, peacebuilding, transitional”, words that are certainly not found in HD. This plays into the HD argument made above that there seems to be more secrecy found in the initial phases of a conflict.

However, in a 2016 report by OSCE (Organization for Security and Cooperation in Europe) of which the Berghof foundation is a collaborator, there were remarks made about the confidential sensitivity of insider mediators. In which the report highlighted a “challenge of balancing transparency, support, and confidentiality that could potentially be a political issue”. The report stated that insider mediators are those who have close ties to the community that the peacebuilding work is being done, and that their presence is “intrinsic” to the peace process. This is telling given the report highlighted the need for confidentiality given these *insiders* essentially have role to tell other actors in the conflict about the facts on the ground which the report mentions “may contain harsh truths that need to be relayed”. Hence, the need for confidentiality. This again highlights that the initial parts of the conflict seems to be where more confidential measures are most present.

Interesting still is during an interview with the former Director of Berghof, Hans-Joachim Giessmann highlighted the changing landscape of security in the world today and the possible approaches moving forward. He also advanced the view of force not necessarily being the right approach as opposed to mediation which he mentions is more in keeping with the current status-quo.

Overall, the approaches may differ between HD and Berghof regarding peace mediations with the former more focused on the initial parks of the conflict where no resolutions have been made so far, and Berghof more focused on what comes after the initial phases of the conflict. Building from the report made by Berghof and OSCE where fortunately, there was mention of secrecy in some form, it focused more on insider mediators and their role for the wider conflict overall. However, once again this focus on confidentiality is mostly centered on the initial phases of the conflict where everything is most sensitive.

Berghof Resources:

Interview with Hans-Joachim Giessmann (February, 2023)

<https://culturalrelations.ifa.de/en/blogging/article/how-does-peace-work/#:~:text=Hans%2DJoachim%20Giessmann%20was%20director,negotiation%20processes%20in%20both%20countries.>

OSCE report in collaboration with Berghof

<https://www.osce.org/files/f/documents/9/5/289101.pdf>

Berghof site

<https://berghof-foundation.org/library/50-years-of-conflict-transformation>

Considerations:

The cases of Berghof and Humanitarian Dialogue, while both of them do have a notable amount of publications regarding their work, there is little to no mention of how they go about the initial phases of the conflict which could be argued to have the most need for confidentiality. This report was only able to find passing references to the importance of confidentiality in publications that were not given by their two foundations, however, this was to be expected given the nature of the work. Some consistent themes however, is that it seems confidentiality is essential to keep mediation efforts going given the flexibility needed to undertake this work, and that a high level of secrecy is undertaken during the initial parts of the conflict not just among the organization itself but also among the mediators. A case by case approach is used to identify how best to tackle each conflict, and measures are done accordingly, this is seen in both HD and Berghof. Regardless of the institution, it seems undeniable that peace and secrecy do go hand in hand.