Non-State Armed Actors and Transitions from Conflict to Peace: Lessons from Peace Processes and Implications for Stabilisation

Dr Ed Marques
Manager, Crisis Management Initiative

Sylvia Rognvik
Manager, Crisis Management Initiative

EMIRATES DIPLOMATIC ACADEMY
أكاديمية الإمارات الدبلوماسية

EDA WORKING PAPER

December 2018

The Emirates Diplomatic Academy (EDA) is an autonomous federal entity of the United Arab Emirates (UAE) delivering high-impact diplomatic training, and disseminating research and thought leadership that furthers the understanding of diplomacy and international relations.

The EDA Working Papers are reviewed by at least two experts in the field to ensure high quality of the publication series. The views expressed in EDA Working Papers are solely those of their authors and do not necessarily reflect the views of the EDA or the UAE Government.

Emirates Diplomatic Academy
Hamdan Bin Mohammed Street
Al Hosn Palace District
P.O. Box 35567
Abu Dhabi, United Arab Emirates
http://eda.ac.ae/

research@eda.ac.ae

Contents

Dr Ed Marques
Manager, Crisis Management Initiative

Ed Marques is the manager of a regional and a national dialogue process for the Crisis Management Initiative (CMI). He has previously served in various capacities related to peacebuilding, diplomacy and development within ILO, Commonwealth Secretariat, FCO, FCA, among others. He holds an MA from the Department of War Studies at Kings College London, as well as a PhD in Politics and International Studies from the School of Oriental and African Studies, looking at the diplomatic strategies of rebel groups.
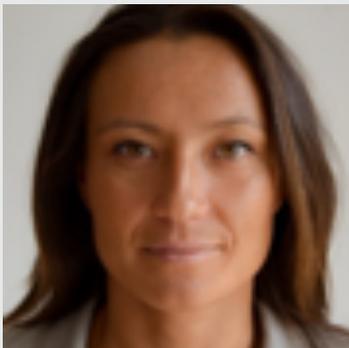
Sylvia Rognvik
Manager, Crisis Management Initiative

Sylvia Rognvik is the manager of a track II dialogue initiative in Yemen for the CMI. Previously, she has served in various capacities related to peacebuilding, security sector reform and mediation with the UN in New York, Libya, Yemen, Iraq and Jordan. She has also monitored the ceasefire agreement, and facilitated dialogue between military commanders, in Eastern Ukraine for the OSCE. She holds an MPhil in Peace and Conflict Studies from the University of Oslo.

Non-State Armed Actors and Transitions from Conflict to Peace:
Lessons from Peace Processes and Implications for Stabilisation

Executive Summary

- Most conflicts today take place within the borders of a state, and they often involve at least one Non-State Armed Actor (NSAA) fighting another armed group or state security forces.

- Engaging with NSAAs is risky and highly political, and the international community is therefore understandably cautious. But when managed properly, the potential benefits can outweigh the costs of not engaging.

- Non-state armed actors encompass a broad range of armed groups with different organisational structures, objectives, strategies and ideologies. Their differences reflect their relationships with the societies around them, and therefore call for different approaches to engagement.

- NSAAs are commonly perceived as scavengers of a 'fragile' state—perpetuating its fragility and spoiling peace and stability efforts. This perception often overlooks their existing governance functions. The reality is that NSAAs are often both spoilers and governance actors—very often at the same time.

- NSAAs are often highly controversial actors. Despite legitimate concerns of other actors, if NSAAs are politically relevant, they *will* need to be dealt with through political means. Not engaging with them in some way during a peace process risks inviting them to work against any negotiations.

- There are situations where exclusion of NSAAs from political processes can be justified, such as when they have little support, or are irrelevant to the agreement being negotiated. However, the exclusion of particular NSAAs, or factions of NSAAs, from peace processes is not a panacea.

- NSAAs can be engaged with to different degrees, ranging from informal conversations to having them represented as a party at the negotiation table, and can even include building their capacity to take part in negotiations.

- Official missions have leverage that private actors do not. However, private diplomacy actors' informal status affords them manoeuvrability and tends not to 'legitimise' NSAAs' status in the way that official engagement with them can.

- It is important to understand NSAAs' capacities and their potential contributions both to ending violence and supporting stability in the post-conflict period.

- In the pre-negotiation period international actors should map NSAAs and interact through carefully-designed entry points, seek to build trust with the parties, and then try to facilitate the flow of information between all relevant parties as much as possible, before deliberately deciding on a strategy of engagement or disengagement.

- In the negotiation period, international actors should seek to engage with NSAAs pragmatically and contextually; where relevant, assist NSAAs to engage effectively through capacity-building and advice on constructive engagement; facilitate informal dialogue throughout the process; as well as be sure to engage NSAAs on the full range of issues that relate to them.

- In the negotiation period, international actors should understand that NSAAs can play important roles in the implementation phase of a peace agreement; that they can provide administrative or governance services; and that an NSAAs' relationship with the communities around them is likely to evolve and readjustments will need to be made.

1.   Introduction

Most conflicts today take place within the borders of a state, and they often involve at least one Non-State Armed Actor (NSAA) fighting another armed group or state security forces.[1] The Middle East and North Africa (MENA) region saw a proliferation of NSAAs in the wake of the "Arab Spring" in 2011. This development further weakened the central state, and consequently, a plethora of alternative forms of governance emerged. In parallel, regional actors have taken a more proactive role in the conflicts in the Middle East by supporting NSAAs and establishing proxy forces, often divided along Sunni and Shia lines.

Engaging with armed groups is rarely straightforward and often risky and highly political, and the international community is therefore understandably reluctant to engage with non-state armed groups. But when managed properly, the potential benefits outweigh the costs of not engaging—you cannot make peace without talking to the groups that are fighting. It is increasingly acknowledged that since armed groups are a part of the problem, they also need to be a part of the solution. Armed groups left out of the ecosystem of a peace process can easily become spoilers of that process and jeopardise the chances of attaining a sustainable peace.

It is also recognised that when military options for stabilisation are applied on their own, they rarely create the requisite foundations for lasting peace. This view has increasingly been accepted, as conflicts over the past decades have become more complex and actors and sources of grievance have proliferated. However, governments and official political actors remain reluctant to engage with armed actors, as they fear the political risks of doing so, and the legitimacy that such engagement could potentially bestow on groups that utilise violence to advance their goals.

Private diplomacy actors, such as Crisis Management Initiative (CMI), are often better able to talk to actors who are off-limits to governments. Indeed, the ability of independent organisations to reach out to actors that official negotiators necessarily do not have access to, was also a key source of motivation for former Finnish President and Nobel Peace Prize laureate Martti Ahtisaari when he founded CMI in 2000. Recognising that sustainable solutions can only be reached by engaging all relevant parties to the conflict, private diplomacy actors seek to involve a broad spectrum of stakeholders, including NSAAs, in their efforts to support conflict prevention and resolution.

When the initiative is first taken towards stabilisation—understood as military and civilian efforts to address drivers of conflict, foster resilience and enable sustainable peace and security[2] —international actors must initially make a strategic decision of engagement or non-engagement. Arriving at this decision also entails

---

1   DCAF (Geneva Centre for the Democratic Control of Armed Forces); *Armed Non- State Actors: Current Trends & Future Challenges.* DCAF, 2011.
     http://www.dcaf.ch/   content/download/53925/812465/   le/ANSA_Final.pdf
2   Stability, Joint Publication US armed forces, p. ix.

finding ways of dealing with the risks and challenges related to the chosen strategy.

The operative question we address in this chapter is how can we constructively engage with NSAAs in peace processes, and what are the implications of such engagement for international stabilisation efforts? We seek to address this by providing some insight on the way that NSAAs reshape realities on the ground during conflicts, assessing the role they play in peace processes, and offering some lessons learned from international experiences of engaging with them.

In the first section we describe the characteristics of NSAAs in the Middle East and North Africa and the positive and negative aspects of international community engagement with them. In the second section, we discuss the various roles NSAAs can play in decentralised states, and the implications of this for international stabilisation efforts. In the third section, we analyse the complicated relationship between NSAAs and peace processes, drawing some lessons learned from various experiences of engaging with NSAAs during the different stages of peace processes—highlighting the need for either deliberate and active engagement at an appropriate level, or a conscious and strategic decision of non-engagement.

2.   Non-State Armed Actors: a Definition

Non-state armed actors are defined as organised armed groups operating outside of state control that use force to achieve their ostensibly political objectives.[3] This is an umbrella definition that encompasses a broad range of armed groups with different organisational structures, objectives, strategies and ideologies. Their goals may be political (separatism or revolution), economic (greater access to natural resources in a particular area, or to the resources of the state) or ideological (their political and economic agenda may be led in different degrees by a commitment to ideology).

What marks them out from organised criminal actors are their political aspirations, however very often this line is blurred, and sometimes it does not hold at all. For example, in Latin America and Southeast Asia, many groups are simultaneously political resistance movements and organised criminal organisations seeking profit. Therefore, any definition of NSAAs needs to be cognisant of both the diversity between and within such groups, as well as the different ways they seek to sustain and advance themselves and the challenges this poses to understand them as purely political actors.

NSAAs may have a local, territorially-bound agenda, or one that is transnational with loose and network-like structures, like ISIS and Al Qaeda in its later years. They may also have a command structure that is tight

---

3   DCAF (Ibid)

and hierarchical, like Hezbollah—a well-structured and institutionalised organisation with strong military capabilities and a central role in the Lebanese political system. They may have a great sense of camaraderie and cohesion or be prone to division and collapse. Crucially, they may differ in the extent to which they control territory, and whether these territories are defined or porous. The extent of their support base and their accountability to local communities may differ, they may be predatory and be despised by the majority of the local populace, or they may benefit from a democratic mandate like Hamas in Palestine.

Cultivating relationships with the outside world and building relations with the communities around them is a common way for NSAAs to mobilise resources. As such, it is often as much of a strategic political consideration as one of necessity.[4] Relationship-building is at times motivated by economic reasons, for example to be able to mobilise resources by levying taxes.[5] A symbiotic relationship with communities also increases armed groups' perceived legitimacy as political actors both with domestic and international audiences.[6] In other cases, the NSAAs may be responding to governmental neglect and marginalisation, or a lack of capacity to provide services in remote, peripheral locations.

NSAAs quite often claim to represent the grievances of a population, but at the same time may be disconnected from that population. Very often however they will have an active support base from among the population. When such a support base exists, it is often a direct challenge to the legitimacy of the state, given that political support to armed groups brings into question the state's monopoly of the use force. For instance, Hamas developed a network of social services in Gaza, ranging from health services to education and sports, which boosted their popular support and lent increased legitimacy to their political demands.

NSAAs' growth and composition may also be influenced by other factors specific to the environment in which they operate. Research has shown that the resources available to NSAAs, including natural resources as well as social endowments such as membership and civilian labour, have an impact on their inclusiveness and their willingness to entertain power-sharing structures. NSAAs that rely on natural resources as their source of revenue tend to have a more coercive relationship with the communities around them, whereas NSAAs that are more reliant on civilians tend to be more cooperative.[7] Moreover, NSAAs' development can influence how cohesive they are, how they interact with the communities around them, and how they react to international intervention.[8]

Likewise, NSAAs' organisational structure can influence the patterns and variations of the use of violence in a conflict theatre,[9] but can also affect the strategies of domination and legitimation that they adopt and that impact their evolution as political actors.[10] Interestingly, it is the ability of NSAAs to transform their use of violence into more 'legitimate' forms of rule that determines their success as political actors. Bluntly put,

4   Aspa, JMR (March 2011) *The economic relationship of armed groups with displaced populations.* Forced Migration Review Vol 37.
5   Weinstein, J. (2006*) Inside rebellion: The politics of insurgent violence.* Cambridge: Cambridge University Press.
6   Schlichte and Schneckner (2015), *Armed Groups and the Politics of Legitimacy,* Civil Wars,Vol. 17, No. 4, 409–424.
7   Weinstein, J. (2006) *Inside rebellion: The politics of insurgent violence* (Cambridge studies in comparative politics series). Cambridge: Cambridge University Press.
8   Staniland, P. (2014) *Networks of rebellion: Explaining insurgent cohesion and collapse.* United States: Cornell University Press.
9   Kalyvas, S.N. (2006) *The Logic of Violence in Civil War.* Cambridge: Cambridge University Press.

in terms of their own sustainability, NSAAs tend to 'become' political, either via creating local governance structures, or participating in the existing system. NSAAs alter the existing social contract that civilians have with the incumbent or absent state, and one of the most common ways they do this is by taking on governance responsibilities or the provision of security.

NSAAs goals and capacities are shaped by their environment and are affected by their relationship with the state or what remnants of it exist. The relationship between the state and the NSAA can either be antagonistic or be based on a strategic or ideational alliance. A strategic alliance usually occurs when there is a common enemy or rival, where security concerns motivate an alliance between the two. An ideational alliance, on the other hand, is often formed if the state supports a NSAA that has ethnic, religious or ideological ties.[11] The nature of the alliance between the state and the NSAA has implications for the course, development and/ or dissolution of the NSAAs. Also, if the state supports the NSAA, either through a strategic or ideational alliance, it may influence armed groups' attitude towards civilians and other governments.

2.1. Engaging with NSAAs

One of the many repercussions of the "war on terrorism" was the criminalisation of engagement with many NSAAs. This has had the detrimental knock-on effect of limiting the ability of international actors to understand how they can effectively engage with NSAAs.[12] Most commonly, NSAAs are conceptualised within the framework of 'fragile states'—where they are perceived as scavengers of the state, perpetuating its fragility and serving as spoilers of any peace and stability efforts. At the same time, linkages between the role of NSAAs in governing the spaces they occupy during a conflict, and how this shapes the post-conflict order, are increasingly being recognised both in academia and among practitioners.[13]

This is not an either-or argument, as NSAAs are often both spoilers and governance actors—very often at the same time.[14] A recent study by the UK government's Stabilisation Unit argues for the need to engage effectively both with local elites as well as armed actors to achieve sustainable peace and stability.[15] The challenge remains how to put this recommendation into practice, particularly in a policy context where political, security and developmental challenges are intertwined.

Peacebuilding and mediation professionals, alongside the broader set of international actors working in conflict and post-conflict environments, need to better understand NSAAs and their potential role in achieving or undermining sustainable peace.[16] Steps have been taken to this end by various UN agencies, for instance by compiling guidelines on how to interact with NSAA's in various domains, or through initiatives like UNESCO's Culture of Peace and Non-Violence programme which promoted dialogue among social, political

10   Schlichte, K. (2009) In the Shadow of Violence: The Politics of Armed Groups. United States: University of Chicago Press.
11   San-Akca, Belgin (2017): States and Nonstate Armed Groups (NAGs) in International Relations Theory. Oxford University Press
12   Brian McQuinn and Fabio Oliva (2014) Preliminary Scoping report. Analyzing and engaging non-state armed groups in the field. (Turin: United Nations System Staff College).
13   Huang, R (2012) The Wartime Origins of Postwar Democratization: Civil War, Rebel Governance, and Political Regimes. PhD Thesis. Columbia University.
14   Spoilers or Governance Actors? Engaging Armed Non-State Groups in Areas of Limited Statehood. Ulrich Schneckener SFB-Governance Working Paper Series • No. 21 • October 2009.
15   See: [http://www.sclr.stabilisationunit.gov.uk/publications/elite-bargains-and-political-deals]
16   Ibid. The research project from the UK Government's Stabilisation Unit points to the balance that needs to be struck: 'Moving too quickly to promote inclusive development and alleviate poverty can destabilise elite bargains, which are founded on providing elites with more stable and predictable power, political clout and access to economic resources'.

and armed groups.[17] Furthermore, non-governmental organisations, such as Conciliation Resources, have extensively researched ways to better understand and engage with NSAAs in peace processes.[18]

In their review of options and strategies for engaging NSAAs in state- and peacebuilding efforts, Claudia Hofmann and Ulrich Schneckener highlight that distinct types of organisations unwittingly use different strategies to influence NSAAs.[19] The rule of thumb is that officially mandated and supported stabilisation missions tend to be more coercive, whereas non-official missions are able to engage with greater agility and focus. These different approaches emanate from the fact that non-official, private diplomacy actors do not have access to the leverage that state- or UN-sponsored stabilisation missions do. Recent reviews of large-scale multi-national stabilisation missions have highlighted how more coercive official approaches have had mixed results at best. According to one such report by the Government of Norway, reviewing their support to stabilisation efforts in Afghanistan, state-building efforts were not successful at all vis-à-vis NSAAs:

> *Despite more than fifteen years of international effort, the situation in Afghanistan remains discouraging. Militant Islamist groups still have a foothold in parts of the country and the Taliban are stronger now than at any time since 2001.[20]*

The political leverage that comes with the 'whole-of-government' approach, and the need to balance political, military, development strategies with other states can hinder the capabilities of willing official actors to engage with the changing political landscape. Norway's own efforts to engage with NSAAs in Afghanistan, and foster a negotiated solution, were undercut by the political realities of a large multinational and integrated stabilisation mission:

> *There was little interest among coalition partners in negotiation in the early years when the Taliban were relatively weak. In later years, however, the desire for negotiation gained momentum as Taliban military capability and power increased.[21]*

There are different degrees of engagement with NSAAs, ranging from informal conversations at the one end to having them represented as a party at the negotiation table, and even building their capacity to take part in negotiations at the other. In fact, 'capacity building' of NSAAs can be crucial to the sustainability of a peace process, and their political maturity/immaturity is a considerable factor in whether NSAAs can be constructive parts of political systems. A channel of communication should be a minimum requirement, as it is essential to understanding their dynamics, motivation and appetite for dialogue. These channels can also facilitate humanitarian access to areas under their control. An established but latent channel can be activated or broadened during official negotiations.

---

17   See: OCHA: Guidelines on Humanitarian Negotiations with Armed Groups (2006); UNICEF: *Programme Guidance Note on Engaging with Non-State Entities in Humanitarian Action* (2011); DPKO: *Understanding and Integrating Local Perceptions in Multi-Dimensional UN Peacekeeping* (2014), *United Nations Police in Peacekeeping Operations and Special Political Missions* (2014); UNHCR: *Operational Guidelines on Maintaining the Civilian and Humanitarian Character of Asylum* (2006), *Dangerous liaisons? A historical review of UNHCR's engagement with non-state armed actors* (2012); UNSG: *Enhancing Mediation and its Support Activities* (2009), UNESCO: *Culture of Peace and Non-Violence; a vision in action* (2013).

18   See: [http://www.c-r.org/accord/engaging-armed-groups/case-engagement-interview-president-carter/understanding-armed-groups]

19   Engaging non-state armed actors in state- and peace-building: options and strategies, Claudia Hofmann and Ulrich Schneckener, International Review of the Red Cross. Volume 93 Number 883 September 2011.

20   See: [https://www.regjeringen.no/en/dokumenter/nou-2016-8/id2503028/sec5]

21   Ibid.

Alongside these benefits, engagement with NSAAs poses a whole range of challenges, and raises questions that need to be taken into consideration. It is imperative to assess who would be the key interlocutors to engage with, and whether they possess the necessary authority or represent the interests of the members, given the internal coherence and structure of the group. For instance, following the chaos after the Libyan uprising of 2011, a major challenge for the UN-led efforts on initiating dialogue with armed groups was to identify the right groups and people to bring around the table, as there was a plethora of militias, all of which were fragmented to varying degrees.

Sometimes incumbent governments are perceived as having insufficient territorial control, and NSAAs will seek talks with regional or international actors instead. For instance, in Afghanistan the Taliban has insisted on talking to the US, mainly due to their demands of the withdrawal of foreign troops and the delisting of Taliban members. In Yemen, Ansar Allah said they engaged in indirect talks with Saudi Arabia leading up to the official Kuwait talks in 2016.[22]

The challenge that comes with such dialogue is that while it may offer the benefit to international actors of direct engagement, it can inadvertently legitimise the armed group in question. In an arena where a multiplicity of actors are competing for influence as legitimate national actors, international acknowledgement of local actors can carry significant weight. In reality, the actors most impacted by such dynamics are non-state unarmed actors, who fear that such interaction will weaken their influence. This is often one of the reasons why NSAAs would often be most willing to start talks with powerful regional or international entities.

3. The Role of NSAAs in Areas of Limited Statehood[23]

The shifts in the political landscape during periods of conflict can precipitate a change in the panoply of actors, empowering new entities while disempowering old ones. For instance, the reach of the government may shrink, which can draw in non-state actors to fill the gap and can transform the landscape of social and political relations in those areas. Sociologist Timothy Wickham-Crowley identifies an "implicit social contract" emerging between NSAAs and civilians in the territories under their control.[24]

In general, the governance efforts of NSAAs are increasingly recognised in literature on civil wars. Zachariah Mampilly highlights that much of the reluctance to observe the broader capacities of NSAAs is related to a state-centric conception of governance that is pervasive across political analysis in general, not just among researchers of civil war. He notes that in studies of government "scholars thus far have not adequately accounted for the performance of governmental functions by non-state actors".[25] For Mampilly, the existence

---

22 "Yemen militia leaders says holding indirect talks with Saudi Arabis" The Jordan Times, http://www.jordantimes.com/news/region/yemen-militia-leader-says-holding-indirect-talks-saudi-arabia

23 Risse, Thomas eds. (2013) Governance Without a State? Policies and Politics in Areas of Limited Statehood. Columbia University Press. The idea of modern statehood has been challenged by the pervasiveness of instances of 'limited statehood'. Risse and the contributors to the volume highlight that governance models in areas of limited statehood are the predominant and fundamental reality of politics, and one that has largely been immune to modernisation.

24 Wickham-Crowley, Timothy (1987) "The Rise (and Sometimes Fall) of Guerrilla Governments in Latin America" in *Sociological Forum* 2 (3): p. 477

25 Mampilly, Z.C. (2015*) Rebel rulers: Insurgent governance and civilian life during war. United States:* Cornell University Press. p.7

of NSAA governance is a form of 'counter-state sovereignty' which exists in competition with the state, seeking to mimic the state and adopt functions of a state, and they can even attempt to claim recognition within the international community.

In asserting control over territory, NSAAs often take it upon themselves to administer these areas. Most commonly, NSAAs serve as important providers of basic services, like Hamas in Gaza, or may take it upon themselves to defend against foreign enemies, maintain internal order, and contribute to the "material security of the populace"—all of which are responsibilities that are commonly attributed to the state.[26] NSAAs do not necessarily usurp or displace government services. In areas where basic services do not exist or suffer from explicit neglect, it is not just shrinking state control, but also areas of dubious control to begin with.

Attempts by NSAAs to administer areas will not necessarily be welcomed by the populace at large, as they may be coercive or discriminatory. ISIS, which at one point controlled an area the size of the UK stretching over large parts of Iraq and Syria, serves as an interesting case. ISIS's goal was to establish a caliphate with strict sharia law, and their tactics included brutal methods such as beheadings, taking of slaves and expelling of other religious groups such as the Yazidis.[27] At the same time, they acted much in the same way as other NSAAs, and created an administrative system of taxation, garbage collection and issuance of birth and marriage certificates under the caliphate.[28] At times they offered better services than the Iraqi government they had replaced.[29]

Research on NSAA governance highlights that NSAAs adopt governance responsibilities in a broader context of interactions with the political landscape around them. This is dependent both on their relationship with the incumbent state, as well as how they organise and sustain themselves. One factor that cuts across the analysis of several analysts is that the reach of the state, where one exists, and the presence of other non-state actors both locally and abroad can vastly alter the need for NSAAs to administer the areas they control.[30]

Moreover, NSAAs governance and military functions are interconnected, and NSAAs commitment to governance is often pragmatic rather than altruistic. An NSAAs ability to govern the areas it controls can change based on a number of factors, including "ideological conviction, relative military strength, dependence on civilian material assistance, and need for accommodation with civilian preferences in its operational area".[31] The divergences and unpredictability in how NSAAs govern, and how they balance governance with their political agenda, means that they are intrinsically complicated actors to engage with.

NSAAs can also take on a role as security providers in areas outside the reach of any centralised security structures. In Afghanistan, for instance, local structures like the Arbakai — community militias controlled by

26   Wickham-Crowley, Timothy (1987) "The Rise (and Sometimes Fall) of Guerrilla Governments in Latin America" in *Sociological Forum* 2 (3): p. 477

27   A Kurdish religious minority that believe in a peacock angel, and are, by ISIS considered devil worshippers.

28   Reyko Huang. The Washington Post, May 14 2015, *The Islamic State as an ordinary insurgency.* https://www.washingtonpost.com/news/monkey-cage/wp/2015/05/14/the-islamic-state-as-an-ordinary-insurgency/

29   Rukmini Callimachi, New York Times 4 April 2018; "The ISIS files": https://www.nytimes.com/interactive/2018/04/04/world/middleeast/isis-documents-mosul-iraq.html

30   Mampilly, Z.C. (2015*) Rebel rulers: Insurgent governance and civilian life during war. United States:* Cornell University Press. p. 50

31   Kasfir, N (2005) *Guerrillas and civilian participation: the National Resistance Army in Uganda,* 1981–86, Journal of Modern African Studies, 43, 2, pp. 271-2

the elders (Jirga) — have a long history in the Pashtun areas. During the stabilisation mission in Afghanistan, these structures were supported by the international mission. This collaboration was initially considered successful but faced several challenges when the model was replicated in non-Pashtun areas, when the President decided that the commanders should be appointed by the Ministry of Defence, instead of the tribal leaders, and when the Arbakai was supported in Pashtun areas while other tribal groups and areas were subject to disarmament processes.

NSAAs ensure financial sustainability through various means. They rely on generating resources to continue to operate and support their actions, to pay their soldiers, to ensure means of transport and communication, as well as acquire weapons and other equipment. Funds can be generated through taxation of the population, thorough the illicit economy or via foreign support. In Yemen, Ansar Allah have taken control over most of the national economy in the areas they control by working with those ministers and managers that have pledged their allegiance to the group since the it took control of the capital Sana'a. The UN Panel of Experts for Yemen has estimated that a minimum of 14 per cent of the state budget might be under the control of Ansar Allah. Telecommunications companies' constitute a major source of revenue, alongside tax and customs on tobacco sales and black-market fuel and oil products.[32]

In Libya, from 2012 to early 2014, the primary source of income for NSAAs were direct payments from the Ministry of Defence and Interior. These payments were initially targeted at those who participated in the 2011 uprising. These 'revolutionary' brigades were paid two to three times the salary of regular military personnel, which not only removed all incentives to reintegrate into official state structures but also led to a massive increase in the number of people claiming to be 'revolutionaries.' These numbers rose from, at the start, a figure of around 20,000 to somewhere between 250,000 to 400,000 at its peak.

As this funding source decreased, militias have adopted increasingly criminal methods to generate revenue, such as operating protection rackets, and financially motivated kidnappings. Today the control of the Libyan capital, Tripoli, is divided between four militias — the Special Deterrence Force (SDF), the Tripoli Revolutionary Battalion (TRB), the Nawasi Battalion, and the Abu Slim unit of the Central Security Apparatus — all of which are nominally loyal to the government but in reality undermine it. Despite this misalignment, they have occupied official administrative positions, and continue to control large parts of the banking sector and the black market.[33]

NSAAs in many cases also rely on the mobilisation of resources from abroad, in the way that, for example, Hezbollah receives financial and political assistance from Iran. Resources can come from states, but they can also come from transnational political groups or diaspora groups.[34] The effective mobilisation of resources

32 Report of the UN Panel of Experts on Yemen (2018): http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2018/594
33 Wolfram Lacher and Alaa al-Idrissi (2018) Capital of Militias, Tripoli's Armed Groups Capture the Libyan State;   http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-SANA-BP-Tripoli-armed-groups.pdf
34 Fiona B. Adamson (2005) *Globalisation, Transnational Political Mobilisation, and Networks of Violence,* Cambridge Review of International Affairs, 18:1, 31–49

from abroad can also be politically and economically expedient, for instance because it can play a central part in NSAAs' attempts to supplant an incumbent state's relations with external states.[35] International support can also have the effect of reshaping the domestic political landscape. Where NSAAs play a strong governance role, the provision of foreign resources to NSAAs can create dependencies that detach NSAAs from local political realities and prevent them from establishing effective relations with the communities around them. Such a dynamic can diminish their need to cater to local political demands and subsequently undermine whatever local control of these entities might exist.

NSAAs' increased access to resources and their ability to control official sources of revenue, like in Yemen and Libya, gives them a position of significant power and economic leverage. When they benefit from the status quo both financially and politically, there are few incentives for NSAAs to engage in peace talks or to be brought under democratic control, a situation which has major implications for international stabilisation efforts. Identifying and creating the incentives that can ensure that NSAAs engage constructively, in both peace processes and broader stabilisation, is a great challenge, but nonetheless paramount to any stabilisation efforts.

3.1. NSAAs and Peace Processes

The term 'peace process' refers to varied mechanisms that are used to move communities from violent or frozen conflict towards greater consensus and peace. This usually will include dialogue at various social and political levels, which may include mediation by a third party. What is essential for reaching sustainable peace is that all relevant parties are involved in developing solutions to issues affecting their society. These parties and stakeholders may be armed or unarmed.[36]

NSAAs may be one of the major parties to a peace process, or they may be facets within a broader landscape of political actors. The relationship between the unarmed and armed actors is often, however, unclear. Not only is the line between NSAAs and unarmed actors often blurred, but unarmed actors may find themselves unable to exert control over armed actors during the talks or to ensure compliance after an agreement is reached. This means that it is difficult to validate their inclusion or exclusion 'around the table' on such considerations alone. It also means that even if NSAAs are excluded, they may still play a role in the broader political landscape in which the peace process operates.

Given this background, we would like to suggest that there are three factors that should be taken into account when seeking to engage with NSAAs: 1) their political agenda; 2) their direct relevance to the process; 3) their indirect relevance to the process.

---

35   Connelly, M. (2003) *A Diplomatic Revolution: Algeria's Fight for Independence and the Origins of the Post-Cold War Era.* Oxford University Press.
36   Unarmed actors may include, government representatives, political parties, unions, dissidents, and other organisations or individuals perceived to represent a constituency crucial to resolving the conflict.

3.1.1.   The Political Agenda of NSAAs

Despite legitimate concerns about the inclusion of NSAAs, if they are politically relevant, they will need to be dealt with somehow. Not including them in the process risks inviting them and the different actors associated with them to undermine the process. Exclusion of NSAAs (albeit on good grounds) can perpetuate insecurity, as they tend to demonstrate their clout by ramping up their military action when they are ignored.

NSAAs are often perpetrators of violence in civil wars, and therefore play a critical role in efforts to end it. Although the distinction is not seamless, what marks them out from organised criminal actors are their political aspirations and the way they organise and engage with the communities around them to achieve these. NSAAs may have deeply ingrained political aspirations, or these may develop over time, influenced by the context in which they operate. NSAAs' political aspirations are not only a motivating factor behind their actions, but they may directly challenge the authority and legitimacy of the incumbent government or other political actors. NSAAs aspirations therefore often form a central element of the dynamics of the conflict in which they are present.

In designing and coordinating a peace process, a mediator will have to ascertain how to deal with political aspirations of NSAAs. There are situations when strategies for the consideration of NSAAs' political aspirations will have to be devised, and also situations when they should probably be disregarded — for example when there is a political organisation that seeks to advance the same goal and is considered equally or more legitimate by the broader population.

Offering NSAAs some sort of influence in the process, either through a place at the table, or other ways, is often argued to be the only way to prevent them from undermining it. For instance, during the Burundi Arusha Peace Talks between 1998 and 2000, where the main NSAAs were reluctant to attend, the talks went on, and the Comprehensive Peace Agreement was signed without them under the behest of Nelson Mandela. It was only after continued instability that Thabo Mbeki and his successor Jacob Zuma, with support from the region, the UN and the AU, engaged the two main armed groups, CNDD–FDD *(Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie)* and FNL *(Forces nationales de liberation)*, and succeeded in bringing them into the fold, thus completing the Burundi Peace Process in 2006.

NSAAs are often highly controversial actors. Mediators may be reluctant to engage with them, not least due to concerns over illegal acts that they may have carried out, which may pose legal implications for those that engage with them. However, the preference to avoid contact may come most strongly from local actors, who risk being marginalised by the inclusion of the armed groups in the peace process. For instance, the Libyan

Political Dialogue was vehemently criticised by local groups as pandering to an armed coalition who had asserted control over the capital city.[37] Furthermore, it is often the case that NSAAs refuse to sit around the same table with other NSAAs, claiming they are the "exclusive" owners of a cause. This can fragment the peace process, complicating and delaying the settlement and increasing the human and material cost of the conflict.

There are different ways to judge the relevance of engagement with NSAAs. Some approaches suggest that groups should commit to certain principles, such as the resolution of conflict through dialogue, or to human rights. More commonly the focus is on more pragmatic considerations, such as the NSAA's size or centrality within the conflict dynamics. One consideration that needs to be made clear is that many armed groups, although locally rooted, may not be widely representative, or essential parties to include in a political settlement.

NSAAs are not static actors, and there are likely to be different narratives operating within the organisation, each advocating for different approaches to realise their political aspirations. The cost-benefit calculation of fighting or negotiating is a constant for NSAAs throughout a conflict, which may sometimes lead to internal divisions between "moderates" and "hardliners," or between the political leadership and the military leaders on the ground. The decision between fighting and negotiating becomes explicitly tangible during an active peace process. Hardliners are generally identified as those who would seek to fight rather than negotiate. Initial divisions may cement into clear fault lines within the movement, with armed factions continuing to operate separately from the factions deciding to engage in negotiations. For instance, in Afghanistan, parts of the Taliban are currently seeking to engage in dialogue and negotiations with the US, while other factions continue fighting.

The exclusion of particular NSAAs, or factions of NSAAs, from peace processes will not make them disappear from the political landscape. Isolation can embolden hardliners and increase their influence within NSAAs, having the knock-on effect of increasing violence. By the same token, isolation can, in the long term, also prevent NSAAs from accruing political skills and knowledge. Delayed engagement with both the Irish Republican Army (IRA) and ETA (Euskadi Ta Askatasuna), in Ireland and Spain respectively, contributed to the prolongation of the conflicts, and it was only once these groups were engaged with that progress towards peace was possible. The buy-in of an established and credible government was essential in both the case of ETA and the IRA, and was arguably a crucial to the success of the respective peace processes. Both cases have been lauded as highlighting the benefits of engaging with armed groups, however both cases involved conflicts between territorially-defined movements and established and strong states. The same approach

---

37   The Libyan Political Dialogue had the dual problem of dealing with the overwhelming prevalence of NSAAs in all aspects of the political landscape, combined with the challenge of including them in what was initially an intra-legislative process.

needs to be different where the state is very weak.

In contexts where stabilisation missions are established, the state and the government are weak — a characteristic reflected in the need to establish a mission in the first place. Stabilisation missions are often invited by the government and mandated with supporting state functions such as strengthening the security sector and supporting political processes. Arthur Boutellis, however, argues that stabilisation is often confused with the restoration of state authority, and that such a conflation may undermine the mission's strategy if the weak and contested state authority is a major part of the problem.[38]

Often, weak governments do not provide effective counterparts to NSAAs in negotiations and may lend NSAAs credence where they otherwise would not have received it. For instance, in Afghanistan President Karzai was throughout his time in power described by the Taliban as a puppet of the West, which meant that from the Taliban's point of view any talks with the government would suggest an admission that the Afghan government was legitimate.

Experiences from stabilisation missions such as the International Security Assistance Force (ISAF) in Afghanistan, illustrates that civilians are at risk during stabilisation activities as they may lead to collateral damage or displacement. Stabilisation activities may also lead to violence towards civilians if control of an area is transferred to a weak or abusive government, or if control is regained by spoilers conducting retaliatory attacks against the local population.[39] These risks highlight the importance of placing protection of civilians at the centre of any missions with a stabilisation mandate.

3.1.2. Direct Relevance to the Peace Process

NSAAs are the most likely parties needed to reach and implement a cessation of hostilities or a ceasefire agreement. Such agreements are however only the precursors to the much longer sets of negotiations required to carry out a peace process. In the longer term, as belligerents, NSAAs will be required to address and take part in these longer discussions, at least regarding security sector reform, and the demobilisation or reintegration of their ranks within formal structures in the national security sector. NSAAs' buy-in, participation and cooperation in discussions and negotiations are critical to the implementation of any agreements.

NSAAs consent may be crucial to establish a secure environment for government to operate. For instance, in Libya, an extensive (and ongoing) dialogue with the militias in control of the capital Tripoli, carried out by third-party mediators, was required to ensure that the Government of National Accord was capable of slowly moving there. NSAAs, therefore, may be directly involved in key areas of dispute outside of the security

38 Boutellis, Arthur. (2015) Can the UN Stabilize Mali? Towards a UN Stabilization Doctrine?. Stability: International Journal of Security and Development, 4(1), p.Art. 33. DOI: http://doi.org/10.5334/sta.fz
39 Gorur, Aditi, (2016). Defining the Boundaries of UN Stabilization Missions, Stimson Center: https://www.stimson.org/sites/default/files/file-attachments/Defining-Boundaries-UN-Stabilization-Missions.pdf

sector, and their buy-in and cooperation, both during and after the peace process, may be critical.

But as we have noted above, NSAAs are not necessarily just belligerents. The way they organise, and the way they administer the areas in which they are present or which they control, as well as the way that they alter the social contract that exists between the governors and the governed during periods of conflict, all engender changes in the political landscape which need to be taken into account in peace processes. NSAAs may provide services themselves or may provide consent for others to provide services in the areas they control. There may also be ad hoc systems of governance or security provision. Some NSAAs may also transition into political parties and/or lay down their arms if given the opportunity to advocate for their cause through political channels. The reality is that the transition to becoming political parties is not automatic, many will transform into a political party, but will also keep an armed contingent as continued leverage in a predatory political system.

NSAAs may have effective control over vast swaths of a country, they may de facto govern these areas, and they may even do so effectively, but by the same token their perceived options and their capacities to convey their positions in a peace process may be extremely limited. This may be due to their lack of exposure to political processes, or lack of interest in dialogue, or the lack of the willingness of international actors to engage with a specific group. For instance, in Yemen prior to and during the National Dialogue Conference both local and international actors had very limited contact with Ansar Allah. This is one of the reasons why the nuances to their perspectives, positions, and goals were not well known or understood despite the inclusion of the group being paramount to a sustainable peace process.

In general, the lack of awareness may be directly related to the fact that they are listed entities, where direct engagement with them can have legal and security ramifications. Yet such a lack of appreciation may have a direct impact on the sustainability of a peace process. The means through which NSAAs convey their opinions may also be very limited even in the case of other domestic political actors, and because of their partisan nature. Awareness of their precise positions is likely to be highly uneven, causing NSAAs to face challenges in communicating with a variety of actors in peace processes.

3.1.3.   Indirect Relevance to the Peace Process

NSAAs can be of crucial relevance for peace and stability efforts although they are not directly involved in the national cessation of hostilities. They may become spoilers to the process, if they have no incentives to

participate or they believe that they are representing an important constituency in the conflict.

As previously highlighted, NSAAs may have a pervasive, if less direct, role in the illicit trade that tends to form a staple part of the conflict economy. Vested interests that emerge during conflict can quickly become ingrained, and NSAAs — or their leaders or individual members — may themselves enjoy a substantial profit. Peace processes may in these cases not serve the NSAAs interests, as they are benefiting financially from the status quo. This may lead to them becoming spoilers of the process.

NSAAs may even be major recipients of social benefits, especially through veterans' organisations and other local and foreign sources. These privileges may be a major point of contention for the population at large, as financial empowerment of the armed groups may lead to further insecurity in the local communities. NSAAs, understandably, will quickly become dependent and will be reluctant to give these up.

As mentioned above, NSAAs can emerge because of social grievances, but can also appropriate such grievances strategically as a way to build their support base. In either case, NSAAs are not self-sufficient, and will always rely on the communities around them for economic and political nourishment. In Palestine, for instance, Hamas enjoy a wide level of support across the nation, as they have come to represent resistance to occupation.

If an NSAA has a strong support base as well as a cohesive structure, this can mean that it may be able to effectively act as a proxy and convey the views of key constituencies to a peace process, or conversely, it may otherwise have the capacity to act as the spoiler of a peace process. Ansar Allah in Yemen, took advantage of widespread discontent generated by the longstanding political deadlock, limited statehood, and post-2011 chaos, to expand their support base and gain further territory. The support of Ansar Allah was broadened as a part of these dynamics when significant segments of the society, including tribal leaders, and former President Ali Abdallah Saleh allied with them.

Furthermore, an NSAA's support base can extend beyond national borders. Where an NSAA relies heavily on transnational, foreign government, or private support to mobilise resources, or is linked to a community transcending national borders, it may be able to convey the views of these constituencies which through the conflict have become part of the political landscape within a certain country. Support can come from proxy actors such as diaspora communities, or from external nation states and lobby groups with a strategic interest in the conflict.

NSAAs are central to both the conduct and sustainability of peace processes of all kinds. We should understand their capacities and their potential contribution to ending violence and supporting other political and

security processes in the post-conflict environment. As a part of the altered political landscape, the changed governance structures, as well as the war economy, they are likely to influence peace processes and their implementation in a variety of ways. The consideration is not simply whether they should be at the table or not, but what sort of ways that they can be creatively engaged with within a peace process to constructive ends.

As belligerents in a conflict NSAAs may be unable to effectively convey their positions, especially to those beyond their immediate constituencies. This means that engagement with them needs to be targeted and deliberate. Moreover, in some cases, for instance with extremist groups, their values and views are irreconcilable with the incumbent government and the majority of the local population. Stabilisation missions may still engage in dialogue with the groups to facilitate humanitarian access, while any further engagement or inclusion is in these cases unreasonable.

4.   Principles for Engagement with NSAAs

Based on previous engagements with NSAAs there are some lessons learned that can be identified that offer practical guidance. As peace processes can take many forms, we would like to offer some broad principles that we believe are relevant in a variety of contexts. We have clustered these around three phases: 1) the pre-negotiation period, being the period of research and outreach leading to the preparation of the process; 2) the negotiation period, where the process is undertaken; and finally, 3) the implementation period, where we have drawn attention to the ways that NSAAs will likely have to play a part.

In reality, these periods are overlapping and do not always follow one another in a linear order, and other periods can be added to this, but for the sake of simplicity we will offer a succinct 'before, during and after' perspective. It is also worth noting that strategies presented under a certain phase may be applicable also during other phases. Furthermore, the type of support that is most conducive to NSAAs' inclusion in a peace process in any phase is heavily dependent on the context.

4.1.   Lessons Learned: Pre-Negotiation

Map NSAAs and interact through carefully-determined entry points. It is important to understand the NSAA itself, how it operates, and if and how it can be engaged with. It is essential to understand the

actors involved and how they can contribute to a peace process. In Eastern Ukraine in 2015, a local ceasefire agreement in an area with frequent shelling, came into place between the Luhansk Peoples Republic (LPR) and the governmental forces without the knowledge of the higher-ranking commanders. Understanding the chain of command, and the degree of autonomy they operate within, is particularly important because different strategies are necessary depending on the NSAAs' organisation.

At times, lower-ranking commanders will be reluctant to cooperate or to talk, and in such cases it will be useful to move up the ranks. At other times lower-ranking commanders will be willing to speak, and even to initiate dialogue with counterparts and may have the autonomy to make those decisions without the prior approval of higher-ranking officials. However, all levels would eventually need to be engaged for a more sustainable agreement, and therefore a mediator needs to identify the right entry point and look for creative ways to engage the various levels. Such considerations should be a starting point but can be overtaken by circumstances. In Lebanon in 1990, for instance, a ceasefire agreement had to be renegotiated when lower-ranking soldiers felt they were outside of the agreement, although their Commanders had initially been part of the negotiations.

Build trust with the parties. Trust and confidence building is paramount after deciding to include NSAAs in peace processes. The decision to include NSAAs implies that they are perceived as a key actor in the process, and without trust between an NSAA and the supporting organisation or between the negotiating parties, an essential precondition for provision of any type of support is lacking. A common feature of armed groups is the high level of mistrust towards external actors. Trust between NSAAs and other parties can be built through increasing the flow of information at an early stage or conducting confidence-building measures such as transfer of detainees, prisoner exchanges or the implementation of a ceasefire agreement or the cessation of hostilities.

Facilitate the flow of information. Effective flow of information is particularly important in the pre-negotiation period. It allows for NSAAs to have a better idea of what is actually going on in the political sphere, and to start creating space for improved understanding between the conflicting parties. One way to do this is through the inclusion of NSAA representatives in informal dialogue platforms with other political and civil society groups. NSAAs, as with the other parties around the table may mistrust other groups, doubt their sincerity and their willingness to deliver on commitments, and such dialogues provide an opportunity for all parties to understand each other's perceptions and objectives.

Informal, multi-party, and bilateral dialogues between the Ansar Allah and other domestic political groups were helpful in building a degree of trust, paving the way for the NSAA's engagement in Yemen's 2013-2014

National Dialogue Conference. Such engagement provides an opportunity for other domestic groups as well as those working on the process to learn more about the NSAA's perceptions, positions and interests.

Equally important is the flow of information between those working on the peace process itself and those working directly with the NSAAs, as actors involved in different aspects of a peace process may have very limited contact with the group, and there may be considerable differences in understanding. The exchange of analysis between international actors on NSAAs and their positions can increase the awareness and understanding they have of NSAAs, as well as ensure that any misunderstandings are worked through early on.

Deliberately determine a strategy of engagement or disengagement. The increased flow of information early on provides opportunities to those working on a peace process to understand NSAAs' interests and will help those designing the process itself to determine the appropriate engagement strategy. NSAAs should not be excluded from nor included in a peace process on principle. The decision whether to engage with NSAAs should be made pragmatically and deliberately from the standpoint of strengthening sustainable peace.

Pragmatic reasons for NSAA's inclusion can be based on different motivations. The choice may be simple where the group is large and cohesive, and provides a coherent bloc to negotiate with, and clearly represents a significant segment of the society. However, more often the reality is much more complex. Identifying the right actors to bring to the table is key. In the case of Libya there were a plethora of militias operating after the 2011 uprising, many of them with loose or shifting alliances, and many of the groups overlapping. In all cases, but specifically in contexts where there are numerous NSAAs, effective mapping of their size, reputation, and even electoral success is valuable to help determine an appropriate strategy.

The selection of groups that accept certain principles may also be important. For instance, some private diplomacy actors working on the Israeli-Palestinian conflict, have determined engagement with NSAAs based on their commitment to certain principles or norms — political partnership, dialogue rather than violence as a basic principle for conflict resolution, and relevant international norms such as the resolutions of the UN Security Council. Such criteria are often used to ensure that informal dialogues have real prospects to make progress and produce outcomes acceptable to all sides. Early engagement may also provide an opportunity to convey these norms and their relevance to NSAAs. Mediators will need to be creative and shrewd when the up-front inclusion of these principles may limit engagement with recalcitrant NSAAs.

A further consideration, which is extremely difficult to measure, is an assessment of the *sincerity* of the NSAA. In some cases, NSAAs express willingness to pursue political engagement, and seem in principle

open to political dialogue, but international actors need to judge that they are not using the opportunity of participation to gain legitimacy and recognition in the eyes of other international actors without making necessary concessions. Even where they are acting 'insincerely' it will be up to the mediator to judge if this is palatable, and where it is simply to extract gains that would enable them to continue the conflict. This is a dynamic consideration, and sincerity may accrue over time through participation, as the process moves forward and their trust in the supporting organisation and other parties become stronger.

4.2. Lessons Learned: Negotiation

Engage with NSAAs pragmatically and contextually. NSAAs that are not part of negotiations do not necessarily need to be completely excluded from them, as there are many ways for NSAAs to be involved in peace processes, without necessarily "sitting at the table". There may be other representatives involved that can function as a channel of communication between the NSAA and the official peace process, and that represent their interests. Likewise, NSAAs that are part of negotiations may require support to engage effectively.

Assist NSAAs in engaging effectively through capacity-building and advice on constructive engagement. In Palestine, private diplomacy actors have worked with NSAAs to support them in defining political goals, as well as to support inclusion in informal dialogue platforms. In one instance this was done by creating a dedicated security sector dialogue group with a number of representatives of the main Palestinian factions. This enabled initial confidence-building to be carried out among the factions through this process, and more importantly to formulate and suggest initiatives and proposals that would contribute to the removal of security sector related challenges that stood in the way of a comprehensive national reconciliation agreement. The work of the group was supported through a team of experts in the security sector who offered perspectives to the group during the sessions. In the same instance, this was combined with a workshop aimed at conveying the experiences that NSAAs had both during and after the peace process in Ireland and during the democratic transformation in South Africa.

Continue to facilitate informal dialogue throughout. Alternative avenues for dialogue will often be required to ensure that issues and tensions that arise during political negotiations can be addressed. Given NSAAs' often limited experience in participating in political processes, their commitment to resolve disputes through negotiations may waiver as the political process moves forward and difficulties arise. Several times during the National Dialogue Conference (NDC) in Yemen, tensions flared up between various factions. These tensions were for the most part mitigated through the facilitation of targeted bilateral dialogues conducted by international actors including CMI—preventing their further escalation and potential negative impact on

the discussions within the simultaneous NDC. Likewise, in periods when the Ansar Allah boycotted the NDC sessions, international actors such as CMI played a crucial role in ensuring that channels of communication both to other parties and to the NDC representatives themselves were maintained.

Engage the full range of issues that relate to NSAAs. To pre-empt the role that NSAAs will be required to play during the implementation, it is paramount to deal comprehensively with the full range of issues that relate to NSAAs. This will be different in each instance, depending on shifts in the political landscape that have taken place during the conflict, but should typically include items outside the sphere of security arrangements alone, as NSAAs are rarely if ever just military actors alone.

4.3. Lessons Learned: Implementation

NSAAs can play important roles in the implementation phase of a peace agreement. The successful implementation of a peace agreement should not automatically mean the disappearance of NSAAs. Paradoxically, in many cases, stability may require their continued presence albeit in a different relationship with the state and the people. It is important to think beyond the perceived conventional roles of armed groups, to fully understand the various social contracts that NSAAs operate under, and the potential role they can play in the implementation phase of a peace agreement. These roles include integration into the central army, disarmament and reintegration into civil society, or transformation into a political party, or continuation as a non-armed social movement.

NSAAs can provide administrative or governance services. For instance, in some contexts NSAAs will continue to need to fill the void in areas of limited statehood by providing administrative services, such as running schools and collecting garbage. NSAAs will very likely have to play a role in the security sector. Some armed groups have the potential of serving as constructive contributors in the provision of security — again in a context where states are weak and do not hold a monopoly of violence.

This is particularly relevant in decentralised and tribal societies such as Yemen and Libya but may also be a factor in more centralised societies. In Palestine, any sustainable agreement is likely to involve NSAAs or their factions playing a central role in the provision of security, simply due to the fact that Hamas is currently in charge of security in key areas. To this end, security dialogues have been convened in Palestine by private diplomacy actors, involving relevant NSAAs to develop security-related policies and draft laws for the security sector, which have been approved by members of the Hamas Legislative Council.

NSAAs relationship with the communities around them is dynamic. The implementation of a peace process will inevitably not mean a return to a pre-war order; neither will it mean the erasure of all the changes

in the political landscape that the conflict generated. Such changes may be profound and difficult to undo, especially as regards the war economy. For the state to slowly re-establish control over NSAAs, stop-gap measures may be required. In the security sector, local control mechanisms are one way that can serve, in the transitional period, until local institutions are strengthened to ensure accountability. In Afghanistan local governance structures—Jirga—were invoked to oversee the activities of local community militias.

There are clear lessons learned which favour pragmatic engagement with NSAAs in the design and conduct of peace processes, aware that they are able to add value to the process as a whole, and aware that stability generally requires their participation in some way in the implementation of peace agreements. Such lessons are broad and general and do not fully account for the range of strategies available in peace processes, nor the great many risks that are inherent in engaging with NSAAs. These risks are not only related to practical challenges, but also the political and normative trade-offs related to engaging with NSAAs and the wider implications for society.

By including NSAAs in peace processes, and in inclusive or multi-layered governance structures, there is a risk related to the values they may represent. For instance, empowering a group like the Taliban, could lead to repression of women and the undermining of basic human rights. Whether NSAAs disappear or not is conditioned by their own resilience and ability to survive and sustain themselves in adverse conditions. They can continue to exist in name, even after having played their part in a peace process but this does not necessarily guarantee their integrity and cohesion.

5.   Conclusion

It is true that the capacities, resources, and ambitions of large-scale stabilisation efforts undertaken by official actors, such as UN organisations, and the targeted interventions of private diplomacy actors such as CMI may differ considerably. The varying strengths is also why they complement each other in important ways. The red thread that runs through both is the assumption that external involvement can in some way help to achieve sustainable peace.

Independent organisations, because of their smaller size, and the fact that they do not represent official state actors, have much greater flexibility in dealing with NSAAs. Informal actors may have leverage through relationships and access built over time with the conflicting parties, or through highly respected personalities representing the organisation. Informal actors may also include insider mediators, such as individuals from

the country or region in conflict.

There may be cases where stabilisation missions are not mandated to engage with the NSAAs, and there is no political will for taking on the risks involved in such a course, although the necessity and benefits may be acknowledged. In such cases, engagement with the NSAAs may be outsourced to other actors to ensure an informal channel.

NSAAs are part of the political landscape and can play a positive role, or become spoilers, in peace processes. However, because of their official nature, stabilisation missions face an even greater risk of legitimising NSAAs by simply engaging with them, than private diplomacy actors do. This can be dealt with creatively through careful, deliberate, and pragmatic engagement with NSAAs in relation to the role they play in society, and careful coordination and smart cooperation between official and unofficial support actors. Engagement on issues central to the peace process through an informal track may be appropriate where NSAAs are large and cohesive. Engaging on thematic issues with defined objectives may be appropriate where NSAAs play a strong governance role.

In certain contexts, where central state structures are nominal, NSAAs may serve the purpose of providing administrative and security services in transitional periods. The challenge in stabilisation interventions remains to ensure mechanisms of accountability to assert a certain degree of control over the NSAAs and identifying incentives for the NSAAs to yield parts of their authority to a centralised system. Finding ways of disentangling the NSAAs from the war economy, so they are incentivised to become constructive contributors in the post-war agenda and bringing parallel government and security structures under democratic control, is essential in ensuring stability.

The post-conflict order usually has its origins in the political landscape as it has been altered through conflict, and creative engagement with this context rather than attempting to ride roughshod over it provides the best chances for sustainable peace. There is, in other words, a need to think more creatively about models of statehood, and challenge traditional notions of a centralised state.

With NSAAs it is typically assumed that over time they would either be absorbed into shared state frameworks by agreement, or fade into irrelevance by circumstance or defeat—their continued existence alongside state structures is typically not considered. In some cases where state structures are controlled by single political actors, or where state structures are extremely weak and contested, it may not be realistic to assume that NSAAs could be either absorbed in state structures or be necessary for resolving violent conflict. This has ramifications for stabilisation engagement as well.