

Mediating mass movements

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Mediation for peace

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Demonstrators rally near the military headquarters in Khartoum, Sudan, 7 April 2019. © Sari Omer.

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Background: rise of global protests and mass movements

People power is a defining feature of our time. In 2019, movements in Sudan and Algeria forced entrenched military dictators from power. In Hong Kong, millions of citizens have taken to the streets to demand democratic self-rule. Chile, Colombia, Lebanon and Iraq faced popular uprisings by citizens railing against corruption, government incompetence and dysfunctional political and economic systems. These protests are happening at a time of resurgent authoritarianism, marked by a 13-year global decline in civil and political rights and an erosion of the rule of law.¹ Widening inequality, rampant corruption, and the fraying of social contracts between governments and their citizens are at the roots of many of these conflicts.

The current Covid-19 crisis has, in many places, stalled one of the most visible people-power actions, mass protest, as citizens practise social distancing and stay at home. However, recent mass protests in the US in response to police brutality and systemic racism, along with solidarity protests around the world, have shown that people are willing to take to the streets even in the midst of a pandemic.² Governments have used Covid-19 as an excuse to consolidate repressive rule and intensify crackdowns on the opposition, posing a significant challenge to activists in places like Hungary, Venezuela and Togo.³ Activists have been forced to innovate in response. Chileans have turned to *cacerolazos*, or the coordinated banging of pots and pans, to signal their discontent with their government's response to the virus. In Nicaragua, the pro-democracy movement has organised public education campaigns and distributed personal protective equipment and other medical supplies. Movements have increasingly turned to digital activism, such as the #Wagif Corona (#StopCorona), an online education campaign started by the Ana Taban movement in South Sudan, while youth climate activists have taken

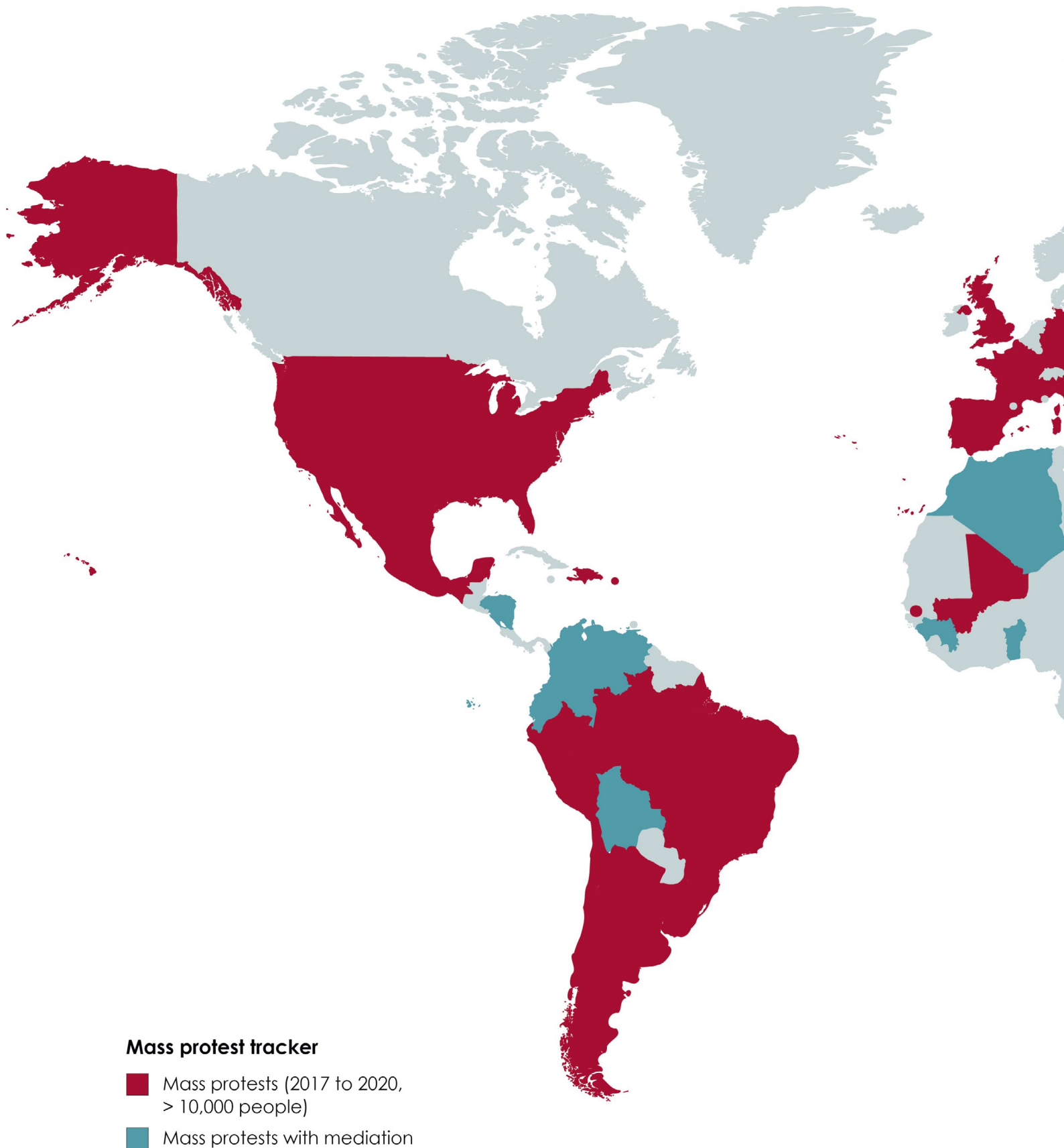
their global struggle to the virtual space with the #FightEveryCrisis campaign.

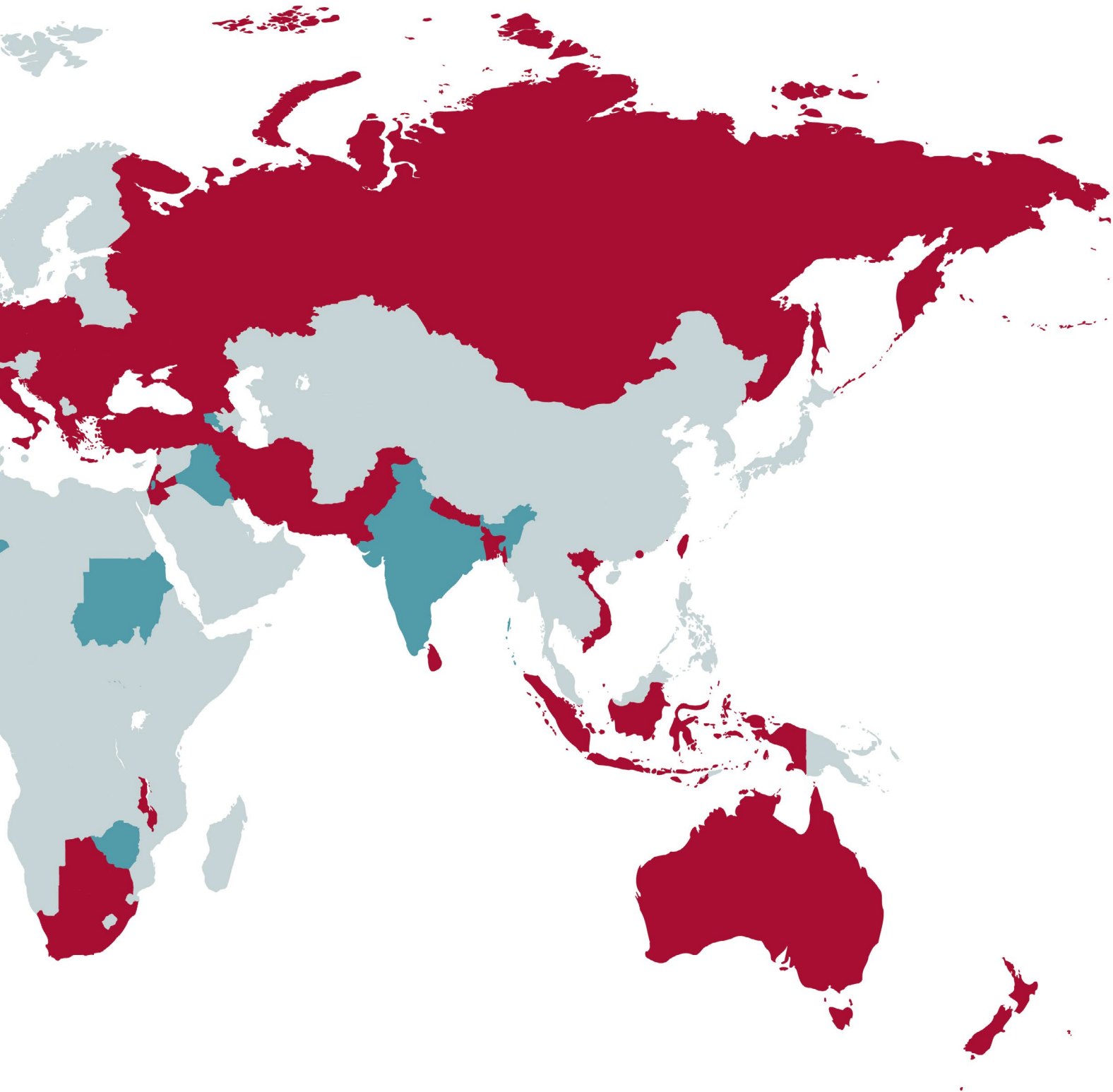
Against this backdrop, the UN Secretary-General, Antonio Guterres, has called for a global ceasefire so that governments and actors around the world can focus on 'our shared battle against Covid-19'.⁴ He highlights that citizens around the world are mobilising online in support of this ceasefire, in addition to a growing number of governments, regional organisations and non-state actors.

It is therefore important to consider mass movements as conflict actors in their own right and to encourage mediators to find innovative ways to engage them. This requires a careful combination of national and international mediators, as well as comprehensive preparatory processes to address some of the challenges of approaching these groups. For example, movements may consist of multiple factions and do not always have clearly defined leaders. Moreover, engaging such movements requires careful trust-building, not only with movements themselves but also with the governments and other power-holders they confront, and other relevant local actors. For mediators, this means maintaining impartiality while being cognisant of the importance of upholding international law.

This paper outlines different strategies for mediating mass movements and addresses the challenges both mediators and movements face when negotiating in complex environments. It will explore three cases and discuss opportunities for strengthening the engagement of mediators with movements.

Map of mass protests





Note: Data is from the “Global Protest Tracker,” Carnegie Endowment for International Peace, and includes all countries with mass protests with a minimum 10,000 participants, from 1 January 2017 through 5 August 2020.

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Understanding the role of nonviolent movements in peace processes and political transition

From the anti-slavery movement to women's suffrage and from anti-apartheid to climate justice, social movements have been major drivers of change. They are twice as effective as armed campaigns in achieving major political goals like removing an incumbent regime, expelling foreign military occupiers and achieving territorial self-determination.⁶

Social movements are made up of diverse groups and individuals organised around a shared identity, change-oriented goals and widespread voluntary participation.⁷ They often engage in civil resistance, which is a method of waging conflict that includes a wide range of nonviolent tactics, including protests, sit-ins, boycotts, strikes and civil disobedience, that are used to shift power and disrupt the status quo. Protests are one tactic out of hundreds identified by scholars of civil resistance. As we have seen in the Covid-19 response, activists have increasingly employed dispersed methods of dissent rather than concentrated street rallies and sit-ins, while focusing on mutual aid and solidarity activities.⁸

Multiple studies have found that civil resistance is a major driver of democratisation, with transitions driven by bottom-up citizen movements being significantly more likely to usher in democratisation and greater protections for civil and political rights like freedom of expression and association than those ushered in through violent means.⁹ Although not all protests and movements espouse inclusive, pro-human rights goals, with far-right movements in the US, Europe, and Brazil being noteworthy examples, movements' traditional ability to represent broad constituencies and shift power makes them important actors in advancing just and sustainable peace.

There are three key points in understanding the role of nonviolent movements in peace processes and political transition:

Movements are conflict actors in their own right. As practitioners and scholars explore the impact of broadening participation in peace processes in establishing durable peace, it is critical to assess movements' roles. Movements differ from other civic actors, including professionalised NGOs, in that they are typically rooted in communities that experience real or perceived injustices, are driven by volunteers, and can mobilise collectively to pressure power-holders. While movements' diversity creates broad-based legitimacy, it can also create intra-party conflict, for example over leadership, strategy, prioritisation and when and how to negotiate with opponents.

Intra-party mediation, which focuses on building trust and resolving conflicts within the conflict parties, can help movements identify conflict arising from their unique character. It involves building intra-group unity around substance (topics and agendas), relationships (resolving disputes and building trust), and processes (helping groups communicate and make decisions).¹⁰ Lastly, it can support movement leaders in developing a unified strategy for negotiations, generate consensus over possible concessions, and identify representation.

Movements can shift power to 'ripen' a conflict for settlement. Martin Luther King, Jr famously wrote that the purpose of direct action is 'to create a situation so crisis-packed that it will inevitably open the door to negotiation.'¹¹ King understood how civil resistance can transform destructive elements of conflict into constructive conflict resolution, which is the very definition of peace mediation.¹²

In line with this, Dudouet's research has found that mass movements for peace in Liberia, Nepal and elsewhere have helped to end decades-long armed conflicts.¹³ In Liberia, a coalition of Muslim and Christian women led a mass action for peace that

pressured the government and rebel groups to negotiate a settlement. In Nepal, human rights activists and the government of India facilitated a strategic alliance between Maoist insurgents and pro-democracy leaders that led to a unilateral ceasefire to de-escalate the conflict, and ultimately to a peace agreement that ended the country's monarchy and established a democratic government.

Mediators would be well served to recognise the value offered by these types of mass movement dynamics, and to leverage their engagement where possible within the design of peace processes.

Movements can incentivise nonviolent pathways. Many armed movements, including the LTTE in Sri Lanka, the IRA in Northern Ireland and the Free Syrian Army in Syria, began as nonviolent protests that were violently repressed by governments.¹⁴

Mediators often do not intervene until a conflict turns violent. By that time, groups originally engaged in nonviolent resistance may have turned to armed struggle, constituting a lost opportunity for mediators. For example, despite months of nonviolent protests in Cameroon led by Anglophone teachers, lawyers and other groups demanding greater decentralisation, there was no third-party mediation until the emergence of an armed secessionist movement in 2019.

Including nonviolent movements can help mediators reach just settlements legitimised by broad-based support. There was a lost opportunity, for example, when Palestinian leaders of the first Intifada were excluded from the negotiations that culminated in the signing of the Oslo Accords between Israel and the PLO.¹⁵ Furthermore, the role of the mediator can go beyond facilitating and implementing political agreements to supporting the building of 'mediative capacities' among local actors convening social spaces to address structural issues and transform relationships, an approach that has been used in Nicaragua, Colombia, Liberia and elsewhere.¹⁶

Key challenges to engaging with nonviolent movements

External mediation is rare during major nonviolent uprisings, while insider mediation is more common.¹⁷ In Tunisia, the National Dialogue Quartet, comprised of leaders from the unions, human rights groups and lawyers' associations – the same groups that had led the nonviolent resistance that forced dictator Ben Ali to step down from power in 2011 – facilitated the negotiations for a democratic transition.

According to research by Lundgren and Svensson, external mediation is most common when the conflict seems likely to have spillover effects, such as violent escalation across borders.¹⁸ This topic requires further exploration, including how nonviolent resistance shapes the triggering of international mechanisms.

While there are no doubt many challenges to engaging mass movements, mediators can and do have a role to play in these contexts. In this sense, engaging with movement leaders does not need to become particularly controversial. In certain cases, as described later in this paper, international and local mediators have been formally invited by governments to mediate between the governments and opposition groups. However, in the case of Nicaragua, the Ortega government, which formally invited the National Bishops' Conference to mediate the conflict (after the former volunteered itself), later rescinded the invitation on the grounds that the Bishops' Conference was biased towards the opposition.

Given the non-hierarchical nature of most movements, mediators should not assume that by engaging with the most visible or charismatic leaders they have a mandate. Ideally, they would engage various movement leaders and ask them how decisions are being made within the movement and to undertake internal consensus-building on what

they expect from the mediator and who the mediator should include in the consultation process. In the case of Ecuador, where indigenous groups trusted the Catholic Church more than the UN, the UN resident coordinator, who was tapped by the Moreno government to mediate, made the strategic decision to include the Bishops' Conference on the mediation team.

There are several key challenges when it comes to engaging with nonviolent movements:

Reluctance by parties to accept mediation:

One or both parties may feel that they have more to gain outside mediation than through a negotiated settlement. Governments may not want to engage in mediation because it would suggest loss of control or confer legitimacy on movements. This is the main reason why there has been no mediation between pro-democracy protestors and the Hong Kong government. The Chinese government, which considers Hong Kong to be an internal matter, has refused while reprimanding UN member states for meeting with pro-democracy activists.¹⁹ A key challenge for mediators is getting the politics right and keeping civic space open for nonviolent action, without necessarily backing the goals of the protestors or opposition movement. For example, after the outbreak of youth-led protests in Iraq in 2019, the Special Representative to the UN Secretary-General met with the youth in Tahrir Square, condemned the violence used against protestors and mediated between the government and the opposition to come up with a national reform plan and timeline.

Movements may not want mediation because they fear losing momentum or reaching a settlement before the needed power shifts occur. For example, the Venezuelan opposition initially refused offers by the presidents of Mexico and Uruguay to mediate

talks with President Nicolas Maduro, claiming that past negotiations had been used by Maduro to consolidate power. Norwegian-led mediation has faced a similar challenge, as the opposition has insisted that Maduro agree to hold presidential elections as a non-negotiable precondition for talks. A key challenge for mediators is how to effectively intervene to prevent or minimise violence without undermining a movement's ability to rectify the injustices and inequalities it was created to address.²⁰

Engaging with 'leaderless' movements: Whereas governments and armed groups are usually hierarchical and have designated leaders, movements tend to be decentralised and involve diverse groups and leaders. While this is often a strategic choice by movements, particularly in repressive environments where their survival depends upon it, their structure can make it challenging for mediators to engage with them.²¹

Mediators run the risk of creating or exacerbating divisions within a movement, either by seeming to favour one faction over another or by exposing individual leaders to repression or co-option. This highlights the importance of applying approaches that mediators typically use where conflict parties are fragmented or risk fragmentation, such as meeting with a broad spectrum of actors. This approach was taken by the UN mediation team in Ecuador, led by the Resident Coordinator, Arnaud Peral, during the 2019 indigenous-led protests over austerity measures, a case we will return to later. At the same time, it is not the role of the mediator to assume leadership in organising movements. An alternative approach would be for mediators to link activists and movements to international organisations and NGOs that focus specifically on helping build the skills and capacities of organisers and movements.²²

Transforming disruptive tactics from threats to opportunities: Mediators typically see disruptive tactics during a mediation process as threatening or counterproductive. However, movements engage in disruption for many reasons: some seek to destroy the process (spoilers), others seek to improve their odds on the ground in an impending agreement, and still others seek to pressure the other side into making concessions. For mediators, the challenge is how to integrate these disruptive

tactics that seek to escalate and create pressure with their efforts to de-escalate violence and build relationships to advance a peace or other change process. At times, mediators have actively discouraged activists from protesting. For example, ahead of the presidential elections in DRC, UN officials asked LUCHA youth activists to stop protest out of fear that nonviolent resistance could unravel the fragile peace agreement.

With sharpened movement instincts, mediators would be able to spot opportunities generated through people power. In Bosnia-Herzegovina, an international mediator used the threat of a nonviolent blockade by a widows' association in a town's central square to re-open dialogue with the town's mayor to take action on finding people disappeared in the conflict. This led to a formal commitment by the mayor to collaborate with the International Commission on Missing Persons.²³

The case of Ecuador, Nicaragua and Sudan

The above challenges for engaging with nonviolent movements are not all-inclusive but represent trends across various mediation case studies involving movements. A deeper dive into three of these case studies offers a more nuanced look at the challenges and opportunities faced by activists and mediators alike in complex conflict environments.

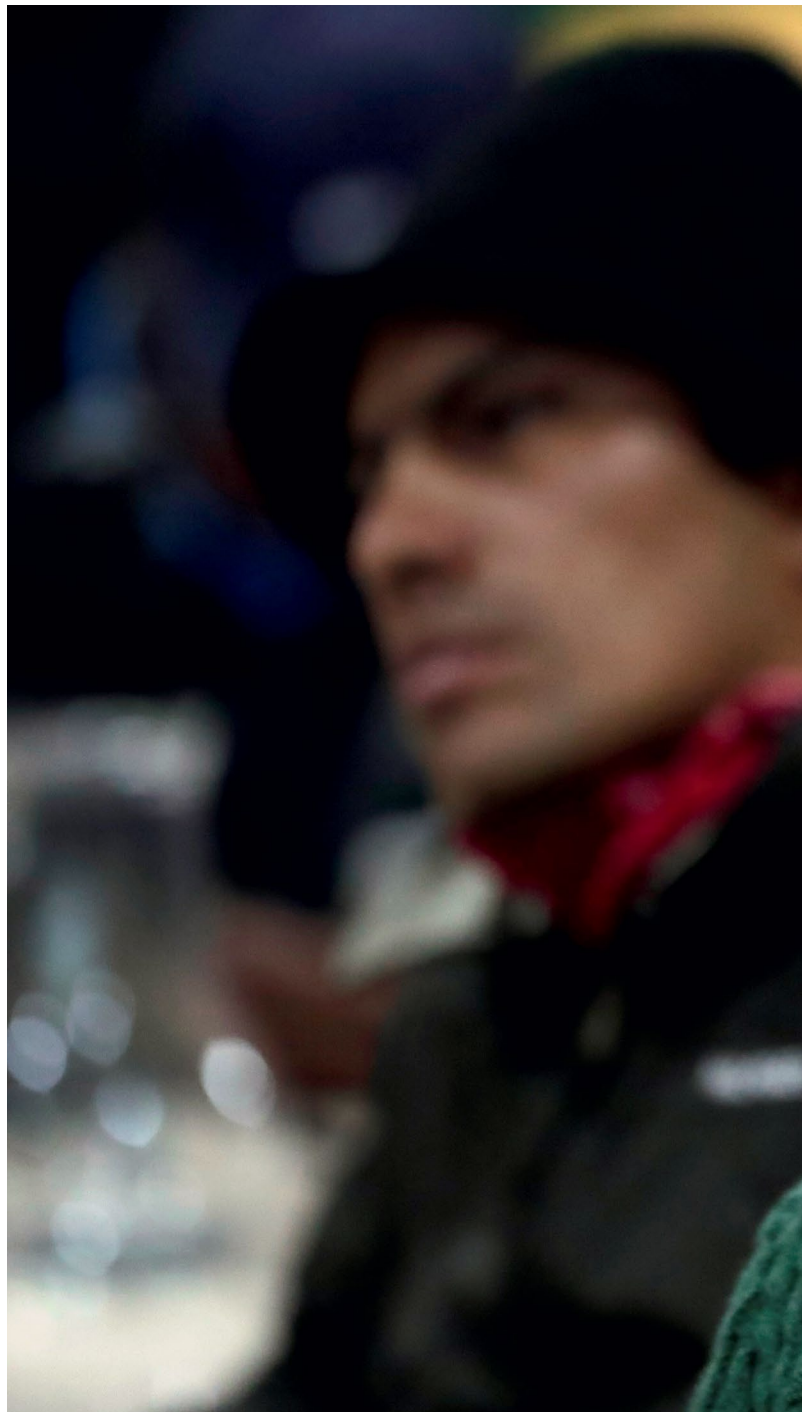
Reaching agreement between indigenous protestors and government in Ecuador (2019):²⁴

In October 2019, Ecuadorian president Lenin Moreno invited the UN office to mediate talks with the largest indigenous umbrella group (CONAIE) when anti-austerity protests threatened to topple his government. The UN Resident Coordinator (RC), Arnaud Peral, assembled a diverse mediation team of local and international actors²⁵ and invited the Catholic Church (Episcopal Ecuadorian Conference, CEE), as co-mediators.

The mediation team engaged in extensive pre-negotiations with both government officials and civil society actors to establish buy-in. This included investing time in identifying local individuals who could serve as bridges between the indigenous groups and the government. The strong relationships developed during these pre-negotiations helped the mediators to successfully deal with various setbacks, such as the kidnapping of eight policemen by indigenous groups.

Mediators also privately engaged with government and indigenous leaders to reach agreement on providing security to protestors during the pre-talks. A small 'security committee' from both parties agreed on protest logistics, including exit routes in case protestors were injured.

When CONAIE's leader, Jamie Vargas, requested that the formal dialogue be broadcast live on radio and television, the UN mediation team agreed and



persuaded the Moreno government to go along with it, with a recess during the broadcast for private negotiations. During the live broadcast, Vargas and Moreno had a respectful, reasoned exchange. During the recess, both parties accepted a formula developed by the mediation team, which the RC announced during the resumption of the live broadcast as an 'agreement'. The extensive media coverage helped create a *fait accompli*, whereby the

Moreno government agreed to annul a decree that raised fuel prices, and both sides agreed to work together on a new economic policy. In return, indigenous leaders agreed to call off more protests. Mediator Francisco Diez has said that the decision to live-broadcast the dialogue was significant, and in many ways went against everything in the mediators' handbook. However, this decision, balanced with agreement in advance for a private negotiation



Following mass protests against austerity measures, indigenous people watch the televised dialogue between the President of Ecuador, Lenin Moreno, and leaders of the indigenous movement, in Quito, Ecuador, 13 October 2019. © EPA-EFE/BIENVENIDO VELASCO

recess, made both objectives achievable. Keeping the terms of the agreement intentionally ambiguous was also helpful.

Despite the mediation's successes, the implementation phase presented challenges, most notably a difference in understanding of next steps. Vargas insisted on an expansion of the dialogue to wider economic issues beyond the subsidies and the drafting of a new decree. A formal process of continued mediation could have helped resolve confusion. While the RC had announced an end to his mediation role, this was not properly communicated to the parties or the public. During this time, the Special Representative of the Secretary-General (SRSG) arrived in country. This would have been

the time to formally hand off the mediation role to the SRSG, which did not happen. The confusion cost the UN reputationally, as both sides blamed the other for the lack of results and the UN was stuck in the middle.

Local mediators support 'National Dialogue' in Nicaragua (2018):²⁶ One week after youth-led anti-government protests broke out in April 2018, Nicaraguan president Daniel Ortega invited the National Episcopal Conference to mediate between the government and protesters. The Bishops' Conference called for a National Dialogue between the government and the opposition, formed by student and *campesino* (peasant) movements, private sector representatives, academics and other actors.

The President of the Episcopal Conference, Leopoldo Brenes, speaks at a press conference to announce the start of the national dialogue between the Government of Nicaragua and civil society, in Managua, Nicaragua, 14 May 2018. © EPA-EFE/Bienvenido Velasco Blanco



The Church began by helping to organise the opposition, composed of fragmented groups united almost solely by their desire to remove Ortega from power. They formed a coalition, *La Alianza Cívica por la Justicia y la Democracia*, to represent them in the talks. The first round of dialogue in May 2018 was chaotic and unruly, marked by a lack of decorum and interruptions, and an unclear role for the mediator.²⁷ A live broadcast of the dialogue, meant to increase transparency, only highlighted the deep mistrust between all parties, including within the opposition.²⁸ The dialogue started and stopped throughout the summer of 2018, being suspended first on 23 May due to a lack of consensus and ongoing violent repression of protestors, then again in June due to the lack of government will.

There have been several challenges specific to the dialogue process. First, opposition members criticised the narrow and non-transparent selection process of Alianza members, which fostered divisions within the opposition, given existing distrust among the private sector and different student and *campesino* groups.

Second, the bishops' relationship with the government continued to fracture throughout the mediation process. Sandinista officials described the bishops' initial proposal to hold early elections to defuse the crisis as an attempt to remove Ortega from office, and refused to consider it. As a concession, Ortega did allow international human rights organisations to investigate human rights violations but then expelled them when the investigation results became public.²⁹ In addition, the intensity of government repression led some Church leaders to become outspoken in their denunciation of government violence, and different Churches began to provide sanctuary to protestors. Due to this development, Ortega accused the bishops of backing a coup and even accused the Church of storing weapons. Calling into question the Church members' impartiality, Ortega said their actions disqualified them as mediators and again suspended the National Dialogue in July 2018.³⁰ Offers to mediate by the UN and the EU were similarly not accepted by the government.³¹

Talks between the government and the opposition started and stopped in the first half of 2019, with the papal nuncio and the envoy of the Organization of American States (OAS) acting as witnesses

and guarantors. By March, the OAS special envoy to Nicaragua announced that the government had agreed to release everyone detained in the context of the protests and laid out six points, agreed to by the government and opposition, which would be in the agenda of future talks. Hundreds were released gradually between the end of March and late June 2019. The ICRC played a discreet role in identifying the political prisoners covered by the agreement. Yet talks stalled in May 2019 and have not restarted since.

The Nicaraguan bishops, while well-intentioned, lacked the skills and capacity to mediate effectively between the government and opposition. There was little time for preparation and minimal investment in pre-meetings and relationship-building with various groups on both sides.

This was definitely not the only reason for the failure of the dialogue. Notably, this case highlights the question of how mediators, and the international community, should respond when a government aims to crush dissent, especially when the protestors are mostly unarmed civilians. What type of mediation is possible, and what is the mediators' role in upholding international human rights standards?

Bridging the civilian–military divide to form a transitional government in Sudan (2019): Mass protests began in Sudan in December 2018, triggered by an increase in bread prices and fuelled by decades of popular discontent with the authoritarian government, led by Omar al-Bashir. After several weeks of protests, the challenge to unite disparate opposition groups began. Sudanese business leaders and intellectuals acted as insider mediators, bringing together a wide array of civilian and rebel groups. By January 2019, these groups³² drafted and signed a 'Declaration of Freedom and Change' and 'Freedom and Change Charter' that outlined a vision and strategy to achieve a democratic transition, which included a commitment to nonviolent struggle. The alliance of groups supporting the charter became known as the Forces of Freedom and Change (FFC). After several months of mass civil resistance, a military coup deposed President al-Bashir in April 2019, and a Transitional Military Council (TMC) assumed power. Following the coup, protestors stayed in the streets, demanding a transfer of power to a civilian-led transitional government.



Members of the transitional government in Sudan swear in at the Presidential Palace in Khartoum, Sudan, 8 September 2019. © EPA-EFE/MARWAN ALI

Mediators continued to play a critical role during the transition. On 3 June, security forces led a crackdown against protestors and violently cleared the sit-in site in Khartoum, killing 128 people. Negotiations broke down and there was widespread fear of further reprisals. At this point, insider mediators focused on reconsolidating the FFC, and engaged with groups that were either marginalised in, or outside, the FFC. International mediators (the AU and Ethiopia, along with diplomatic representatives from the US, UK, KSA and UAE) focused on mediation between the FFC and TMC. Importantly, efforts were made to align the work and approaches of the insider and international mediators, identify where they had specific relationships and strengths and, where appropriate with confidentiality, share analysis and information.

On 29 June, a prominent Sudanese businessman who was involved in the insider mediation efforts hosted a meeting at his home to bring together the FFC and TMC for their first face-to-face meeting. The goal was to reduce tensions and ensure no further violence on 30 June, the date of a planned mass demonstration. The AU and Ethiopians were

present, plus diplomatic representatives from the US, UK, KSA and UAE. This diplomatic coalition was important because KSA and UAE had been backing the TMC previously.³³ On 30 June there was a 'million man march', where Sudanese showed that they were willing to demonstrate, even in the wake of the brutal violence of 3 June, and refused to accept TMC rule.

Propelled by the mass protest and growing international pressure, mediated discussions continued through the week, eventually culminating in a transition agreement. During this period, the insider mediators helped to build consensus and cohesion within the movement, including with the neighbourhood resistance committees, urgently seeking a way to shift the deadlock and prevent further bloodshed. International mediators, for their part, did not ask people to avoid marching on 30 June but instead made joint efforts to ensure restraint on violence. They then helped the parties to seize the momentum to reach an agreement. The agreement was not written at first – so the mediation role continued intensively for another month to agree on the terms and ultimately sign in mid-August.

Recommendations

While the above case studies highlight key challenges mediators face in engaging nonviolent movements, they also offer useful lessons and best practices for mediation stakeholders – local, regional, and international – in their ongoing and future work. The following recommendations are presented in phases for organisational purposes but should be considered integratively and dynamically.

Before negotiations

Leverage principled frameworks to support an enabling environment: The UN Declaration on Human Rights and the Sustainable Development Goals (SDGs), particularly SDG16, provide a principled foundation for engaging governments and movements. Movements can reference the SDGs and their governments' obligations therein to anchor their activism. The cases highlight the importance of mediators and international actors prioritising the right to peaceful assembly and denouncing attacks on unarmed protestors. Mediators are not asked to endorse a movement's goals but rather to uphold international law. They should focus on keeping civic space open to incentivise nonviolent action and enhance viable options for a durable peaceful settlement, an approach that would align with current UN Guidance on Effective Mediation.

Invest in mediation early in conflict: Using the principled frameworks offered in the SDGs, the sustaining peace resolutions and the UN–World Bank Pathways for Peace report³⁴, mediation stakeholders can emphasise mediation at the early stages of conflict – when there is a greater chance of resolving movements' underlying grievances before violence breaks out. Ideally, the investment will support broadening insider mediation spaces and social capacity to work on conflicts. For example, UNDP has been working to build insider mediator capacities. Strengthening connections between local, regional

and international mediators, notably those with experience of engaging with movements and mass protests in their respective contexts, would be worthwhile investment. Organisations can invite social movements to select members to participate in such a mediation community of practice.

Broaden engagement to include nonviolent movement actors: When mediating conflict, UN and regional mediators can broaden outreach and meet with non-traditional civic actors, including non-violent movements. High-level UN officials should be encouraged to meet with movement representatives at HQs and, more importantly, in the field – to listen, learn and communicate the importance of these actors. Organising symposia and workshops can bring together movement leaders and mediators to better understand each other's functions. Training in the relationship between civil resistance and dialogue, negotiation and mediation could strengthen the skills of international mediations from the Mediation Support Unit, which should be expanded to include greater expertise in movement mediation.³⁵ In turn, movements can provide mediators the space to meet with movement actors, to better understand their interests and to provide information about the mediation process and expectations.

Mitigate challenges arising from participant selection: Knowing who to include in formal negotiations involving movements and governments is tricky, particularly when movements lack central leaders. Even in Ecuador, where the indigenous movement was highly structured and leadership was clear, tensions arose over UN mediators' decision to exclude labour unions from the formal dialogue table. In Sudan, the formation of the FFC (with the help of insider mediators) offers an alternative example. The FFC's diverse social base increased its legitimacy at the negotiating table, despite not being fully representative of the opposition. Insider

mediators also helped keep communications open between the FFC and the youth-led local neighbourhood resistance committees, while facilitating dialogue between opposition groups on key issues.

Ensure space and resources for pre-negotiations preparation: The cases highlight the importance of pre-negotiation meetings and investment in relationship-building at different levels within the government and the nonviolent movement. Particularly in cases where the movement is heterogeneous or fractured, focusing on relationships and trust-building helps lay the foundation for successful negotiations, as in Ecuador and Sudan. This was largely missing in the lead-up to the national dialogue in Nicaragua, where there was minimal investment in trust-building and meetings with important opposition constituencies such as student groups.

Consider the value of mixed teams of local and international mediators: Local mediators often play critical roles in building trust and opening channels of communication both within parties (intra-party mediation) and between movements and governments. Local mediators can include religious and business leaders who facilitate dialogue and communication between the parties. The combination of local and external mediation holds particular promise. The RC in Ecuador intentionally chose the Catholic Bishops' Conference as co-mediator, knowing that the Church was more trusted by indigenous groups. The UN team included a highly respected local mediator and a UN Women representative who was familiar with indigenous group dynamics. In Nicaragua, there was no third-party mediator, such as the UN or OAS, to support the National Bishops' Conference. The lack of technical and process-related skills and expertise was evident during the first round of dialogue.

During negotiations

Regularly engage movements and local mediators: UN and regional mediators can continue to facilitate connections between governments and movement actors using the good offices and relationships formed in the pre-negotiation phase. Mediators can consult with movement and government representatives on the appropriate format for this engagement – whether as part of the formal mediation process or through informal channels. It is important to underscore that mediation does not necessarily involve bringing parties around a

negotiating table. Lederach's notion of mediative capacity, which 'requires us to think about social spaces for constructive change processes that have intermediary impact rather than about mediation narrowly defined as a role conducted by a person or team at the level of political negotiation' is particularly relevant to how local mediators could facilitate trust and relationship-building between movement actors and between those actors and local government officials.³⁶

Recognise the unique role of religious actors: Religious groups and actors with strong connections to social development and social movements can play an important role as mediators. The Catholic Church, which has global reach and diplomatic legitimacy through the Vatican and Holy See, a national presence through National Bishops' Conferences, and local influence through parishes, dioceses, humanitarian organisations and academic institutions, played an important role in a number of cases in this paper, notably in Latin America and Africa. Identifying and engaging with religious actors and institutions with strong links to the grassroots could help strengthen movement mediation efforts.

Engage security forces: The case studies highlight the importance of facilitating, where possible, communication between security forces and opposition leaders to develop security protocols to protect protestors and prevent violent repression. Even in cases not 'ripe' for a negotiated settlement, this can help to avoid violent escalations that threaten the interests of governments and opposition movements alike. In Ecuador, UN mediators helped create a security committee to establish protest routes and evacuation procedures if protestors were harmed. In Sudan, a meeting to prevent a future massacre led to wider mediated negotiations on the transition.

Balance transparency and confidentiality in communications: While most mediation guides caution against live-broadcasting sensitive dialogues and negotiations, the mediation in Ecuador highlights how live broadcasting can be an effective mediation tool within a pre-determined process, putting positive pressure on parties to negotiate in good faith. However, in Nicaragua, where pre-negotiation preparation was minimal and distrust between the parties was deep, the parties were mostly broadcasting for their bases.

After negotiations

Maintain channels of communication during the implementation phase: Maintaining channels of communication can help to resolve additional disputes between government officials and movement leaders as they arise (as was the case in Ecuador) as well as to keep civic space open to allow channels for nonviolent dissent. Still, the role of mediators following an agreement, particularly in the context of a popular uprising, requires further consideration. For example, what is their role in continuing to help parties to reach agreement on areas of disagreement in the implementation? How can they help movements with internal differences and decisions on the role, structure and function of the movement in the post-agreement phase? These questions are particularly pertinent to the current situation in Sudan.

Manage expectations and hold the parties accountable to commitments: Mediators can continue to work with governments and movement actors to develop platforms to address ongoing, long-term challenges, and to resolve root causes of the conflict. Investment in mediative spaces could help build the trust and commitment between heterogeneous movements and power-holders. Both mediators and movement actors will be responsible for monitoring progress and providing pressure to follow through on agreed terms.

Conclusion

The current Covid-19 global pandemic is making more visible the systemic injustices and inequalities that have fuelled past and current waves of mass protests and people-power movements. As motors of social, political and economic change, movements are important conflict stakeholders. While the mediation world has made great strides to ensure that agreements reflect the will of the people and adhere to internationally accepted standards of human rights, they have not always engaged or included movements. This lack of inclusion may have contributed to the unsustainability of those agreements. This paper proposes that the international mediation world should rethink its approach to inclusion by looking beyond government and armed groups and engaging social movements – in the context of both formal peace processes and well beyond.

Mediation can help prevent the escalation of violence and resolve the underlying issues that bring people out into the streets in the first place. Local and third-party mediators can help to bridge the divides between movements, governments and other power-holders and to facilitate the active participation of movements in peace processes and democratic transitions. However, this must be based on a careful balancing of mediation goals and a serious approach to engaging with movements, whose strengths lies in their mass, diverse and fluid participation and willingness to confront systems of power. Movements are not the same thing as NGOs and should not be treated as such.

While the approach to engaging with movements will vary by country and context, building trust is critical. Mediators need to consult and engage with movements in a way that ensures that the movement has the ability to provide feedback in a timely manner that respects the individuality and differences within the movement. Strengthening the skills

and capacities of mediators to engage with movements, and improving activists' understanding of how to engage mediators, would be a particularly promising national, regional and global investment in this era of people power.

Endnotes

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- 19 'Germany caught in the middle as Hong Kong protests linked to Libya war in UN spat', *South China Morning Post*, 14 December 2019, <https://www.scmp.com/news/world/europe/article/3042128/germany-caught-middle-hong-kong-protests-linked-libya-war-un-spat>
- 20 Patrick Hiller, 'When do Nonviolent Uprisings Prompt Mediation?', *Peace Science Digest*, 10 September 2018, <https://peacesciencedigest.org/when-do-non-violent-uprisings-prompt-mediation/?highlight=non-violent%20movements%20mediation>
- 21 'Mediation processes become more complex (and may be overloaded) when the consultation base expands and/or multiple forums are used to engage actors at different levels. In addition, it may be difficult to engage interest groups that are not easily defined or lack clear leadership, for example social movements and youth groups.' The United Nations Guidance for Effective Mediation was issued by the Mediation Support Unit (MSU) based in the Policy and Mediation Division of the Department of Political Affairs, as an annex to the report of the Secretary-General on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution (A/66/811, 25 June 2012).
- 22 Such organisations include, but are not limited to, the US Institute of Peace, the International Center on Nonviolent Conflict, Beautiful Trouble, and Africans Rising.
- 23 Interview with Juan Diaz-Prinz, Senior Expert on Mediation and Dialogue at the US Institute of Peace, Washington, 1 March 2020.
- 24 Case study based on interview with Francisco Diez, an international mediator with the UN Mediation Standby Unit, 6 March 2020. Also based on a paper written by Diez, entitled 'UN Mediation Report at Ecuador's October Crisis', for the Kroc Institute, University of Notre Dame.
- 25 The mediation team comprised his closest advisers, a trusted local mediator, and officials from UNDP, UN Women, Human Rights, ILO, and a member of the UN Mediation Support Unit.
- 26 Based on research conducted by Sergio Cabrales, Nicaraguan Fulbright scholar and graduate student at University of Pittsburgh, USA.
- 27 For example, the public denunciation of Ortega by one university student, Lester Aleman, was considered shocking.
- 28 During the dialogue, citizens were building tranques, or barricades, to shut down key highways and transportation routes to economically pressure the government. The Alianza was unable to leverage the blockades during the talks because they had no control over the youth erecting them.
- 29 Including representatives from the Inter-America Commission on Human Rights and the UN Office of the High Commission for Human Rights and the European Union. The human rights officials were later expelled from the country after releasing their reports, which held the government responsible for most of the violence and killings.
- 30 Cardinal Brenes responded that churches had opened their doors to protesting students persecuted by the government, but denied that weapons had been taken into churches.
- 31 In a statement, the EU High Representative confirmed 'the EU's readiness to accompany and support the Dialogue, in particular the Commission on democratisation and electoral matters, with a view to necessary reforms and a fully democratic and timely electoral process'. This was a decision made at the so-called EU-CELAC Summit.
- 32 Groups included: Sudan Professionals Association, No Oppression against Women Initiative, the Sudan Revolutionary Front, the National Consensus Forces, Sudan Call, and the neighborhood resistance committees.
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- 34 'Pathways for Peace, inclusive approaches to preventing violent conflict,' United Nations, 2018. <https://www.pathwaysforpeace.org/>
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