

The Hague Approach

Six Principles for Achieving Sustainable Peace
in Post-Conflict Situations



The Hague Institute
for Global Justice

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Table of Contents

	Introduction	7
	The Principles	11
1	Prevention Matters	13
2	Fostering a Rule of Law Culture	19
3	A Network Response	25
4	Private Sector Engagement	31
5	Strategic Communication	37
6	Responsibility to Learn	43
	Conclusion	49
	About the Principles	50
	About The Hague Institute for Global Justice	51
	Endnotes	53
	Endorsements	55

Introduction

Conflicts devastate societies. Their costs can be counted in human suffering, economic collapse and the instability they provoke, often beyond the borders of the country where hostilities first began.

Ending conflict is a moral and strategic imperative, yet a formal agreement between warring parties often does not herald lasting peace. Communal violence can rage for decades after a peace process has been implemented. Vital institutions remain weak and the rule of law is either non-existent or inaccessible for large swathes of the population. A failed peace can be disastrous: future conflict in a country is much more likely if there has been conflict there in the recent past. When countries relapse into widespread violence, the disillusion that spreads can corrode any hope of a lasting peace, dooming fragile states to repeated cycles of instability.

There is much to be learnt from existing peacebuilding initiatives in which the international community is working with national and local actors to achieve sustainable peace. To stand a chance of success, many tasks must be pursued simultaneously: basic security must be established, armed groups demobilized and disarmed, and access to justice rebuilt. For these and many other tasks, the expertise and resources of many different actors need to be brought together, in a complex but flexible network. Priorities must be established not by outsiders but by local communities, and by authorities they recognize as legitimate, with the private sector as a key partner. Initiatives must fit the specific context and be improved over time through careful monitoring and evaluation.

Introduction

Peacebuilding works when local people are involved and feel that it is their idea. This means that communication between peacebuilders and local populations must never be one-way only. The peacebuilders must understand the locals' priorities, and show that they do so. The international community has a responsibility not only to protect and to rebuild, but also to learn. Peacebuilders' efforts are doomed to failure when they try to implement rule of law programs based on the legal systems of their own countries, without considering local legal practices.

The ultimate test of any peacebuilding mission is whether conflict breaks out again. It is therefore vital that peacebuilders can recognize the political dynamics which drive conflicts and cause them to recur. Drivers of conflict can include poverty, political and social exclusion, lawlessness, transnational criminal organizations, and climate change. You become aware of them above all by listening when local people describe their needs, and by making sure that communities have effective peaceful channels for making their grievances known. So understood, the rule of law is not a narrow legalistic aspiration but the very heart of a just society.

The Hague Approach builds on successful efforts to build lasting peace in post-conflict societies. It focuses on the challenges that most often confront peacebuilders, in order to suggest what is needed to make future programs more effective. It consists of six principles, which we offer for policy-makers to consider when planning and carrying out future peacebuilding operations. All six of them stress the importance of establishing and maintaining a close

Introduction

working relationship between international actors and those they seek to serve.

This set of principles is emphatically not a blueprint to be implemented regardless of context. Nor does it claim to deal with every challenge that peacebuilders face. Rather, it draws on empirical evidence from peacebuilding experiences to identify points that need attention. We hope that policy-makers in the field will find it useful.

The Principles

- 1 Prevention Matters
- 2 Fostering a Rule of Law Culture
- 3 A Network Response
- 4 Private Sector Engagement
- 5 Strategic Communication
- 6 Responsibility to Learn

1

Prevention Matters

Sustainable peace depends on efforts to prevent violence not only before it starts (primary prevention), but also during and after conflict (secondary prevention). Prevention must be a strategic priority at every stage of the conflict cycle.

It is especially important in the post-conflict phase – when it is vital to avoid relapse – because the danger of new conflict is always greater in a country which has already experienced it,¹ and because when peace does break down the national and international disillusion that follows can have corrosive effects. Particular post-conflict forms of preventive action need to be developed to overcome many different risk factors, which may be external (cross-border conflict; international criminal networks) or internal (political exclusion; discrimination; unemployment; and unequal distribution of natural resource wealth).²

The factors that sustain conflict – and those that trigger its recurrence – may be different from those that caused it in the first instance. So we need to think of peacebuilding as a system rather than a linear sequence. Conflicts themselves tend to become resilient systems which find ways of adapting to, and even feeding on, external interventions. It has been found, for example, that a breakdown of society on ethnic lines often plays a bigger role in the recurrence of conflict than in its original onset.³ The idea of a ‘culture of prevention’ – originally a UN aspiration – has now become an official policy of many states, international and regional organizations and NGOs. But adopting it as a norm has proved much easier than putting it into practice.

How to Engage

If prevention is really to become second nature to international actors, it is vital that they **understand the politics of it**. Many actors, especially at the local level, tend to view their mission in narrow technocratic terms, ignoring the political effects of their activities. Yet success at the local level depends on a thorough understanding of the context, on giving local people a feeling of ownership, and on building or rebuilding trust between local communities and legitimate authorities, as was done in the largely successful effort to prevent a renewal of conflict after the violence in Kenya in 2007-8. Prevention requires a combination of structural efforts, to mitigate global and societal risks, and operational efforts to address local risks, such as people's feeling that they are being excluded from the new political set-up, as well as rent-seeking behavior which fuels corruption, undermining the rule of law.

Peacebuilding does not succeed by doing first one thing and then another, but when different people are doing different things at the same time – pursuing different **objectives each of which strengthens the others, so that they combine to make recurrence of conflict less likely**. Establishing physical security is certainly important, but has often been found hard to sustain when promoting a rule of law culture was postponed or given lower priority.

In the wake of a conflict, different actors – international donors, national governments, armed forces, civil society and the private sector – may all share the overall aim of ensuring that violence does not break out again, while each pursuing specific goals derived from their specific mandate. But too often they are not **thinking systematically about prevention strategies within a common framework**. Since conflicts are more and more often driven by networks (for instance, transnational criminal

networks that supply weapons), the various missions and actors working to prevent conflict need to focus on those networks as they coordinate their strategies. They should not work from standardized lists of issues, but look for a framework which enables them to work out who or what is driving instability in specific contexts.

Tools

The continuum of tools available for conflict prevention has sometimes been described as a 'ladder', up which policymakers can climb step by step, from Chapter VI of the UN Charter (peaceful settlement of disputes) to Chapter VII (enforcement). This has political advantages, because in the early stages of a conflict states are only willing to consider peaceful actions, while as situations get more serious they become more willing to adopt coercive measures. But 'conflict entrepreneurs' – those who drive conflict for their own advantage – find such gradualist approaches all too predictable, and adapt their strategies accordingly. To achieve results, therefore, international actors may need to show, early on, a credible commitment to do what it takes to deter them. The most effective preventive efforts are holistic ones, which combine systemic measures, such as strengthening human rights and environmental norms, with readiness to intervene promptly and firmly in a crisis.

Preventive diplomacy is often the starting point for international action focused on a particular crisis. Properly conceived, preventive diplomacy anticipates the full cycle of crises in order to plan the response, engages proactively with all who have a stake in the outcome, and can strengthen the hand of a neutral mediator through carefully calibrated incentives and sanctions aimed at the

1 Prevention Matters

different parties to the conflict. The good offices role of the United Nations and other international organizations is a key instrument for preventive action at this level.

Preventive deployment has proved effective in fragile regions, for example in Macedonia, where conflict was forestalled in the 1990s. Peacekeeping forces mandated to prevent violence recurring must recognize that fostering peace may entail addressing different factors from those that caused the conflict in the first place, a consideration which ought to be reflected in their mandates. Human security (and especially the protection of civilians) is a first-order priority, but a peacekeeping force must also create favorable conditions for other preventive activities, including promotion of the rule of law. Troop contributors and the UN Security Council must be willing to keep forces deployed at the level needed, and for as long as needed, since premature withdrawals can trigger a return to violence. This was what happened in Liberia, where the departure of UNOMIL in 1997 was followed by renewed civil war two years later.

Preventive activities within a society must contribute to its overall development. Such activities include supporting security sector reform, strengthening the rule of law by building legal frameworks that are recognized as legitimate by that society, supporting effective governance by training people to do it better, stimulating equitable economic growth (including through strengthening public financial management) and promoting the provision of basic services which contribute to social well-being.⁴ Improving governance must include reducing corruption, especially through curbing rent-seeking within the police and judiciary. At the heart of all such efforts should be policies to ensure that all parts of society feel included, which implies methods that channel the subjective demands of various actors into legitimate political processes.

1 Prevention Matters

Policy Recommendations

Don't rush for the exits

When peacebuilding has failed it has not been because peacebuilders tried to do too much, but because they did not plan to stay long enough, or commit sufficient resources.

Prevent recurrence as well as onset

All those involved in a post-conflict situation must be sensitive to the danger of renewed conflict, so that they can contribute to a common peacebuilding goal.

Inclusion correlates with peace

Policies which focus on bringing relevant parties into the process, and try to understand their grievances as they themselves feel them, are more likely to lead to sustainable peace. It would be helpful if academics could produce, and regularly update, an analytical review of the evidence on why conflicts recur (as opposed to why they first start) in specific contexts, and also if they and policy-makers could work more closely together.

2

Fostering a Rule of Law Culture

Fostering a rule of law culture means persuading most people to accept, internalize and act in accordance with rule of law norms. Institutions, codes and procedures are integral to the rule of law, but not sufficient unless buttressed by commitment to principles such as the supremacy of law, equality before the law and accountability to the law.⁵

The absence of the rule of law is a major source of political instability, and without a robust rule of law culture the rule of law will be fragile at best. Fostering a rule of law culture is therefore essential if we are to prevent or resolve conflict; sustain peace once it is achieved; and promote good governance, respect for human rights and dignity, and equitable economic growth.

How to Engage

Efforts to foster a rule of law culture should be integrated into all peacebuilding activities, but unless **human security** is (re)established they will not succeed. That is one more reason for peacebuilders to address the critical needs of the local population, such as safety, food, water, medical care and housing, as matters of urgency.

Local and international peacebuilders should gain and maintain **public trust and legitimacy** by behaving in a professional, transparent manner, making themselves accountable, listening to all points of view, and being sensitive both to local culture and to the effects of conflict on local people.

2

Fostering a Rule of Law Culture

Strategies to nurture the rule of law should integrate **bottom-up and top-down processes**, so that peacebuilders are responsive to the culture, practices and needs of local populations while complying with international frameworks and norms.

Reconciliation of **formal and informal justice systems**⁶ ensures that justice procedures and outcomes are acceptable to local populations but also compliant with international standards. Informal justice systems are pervasive in many conflict-affected settings and commonly enjoy considerable local legitimacy. However, such systems may contravene international norms and standards. They are no substitute for a legitimate and effective formal justice system.

Vulnerable groups such as women, young people, minorities and the poor should be helped to understand the law, claim the rights and protections it affords, and hold relevant public and private actors accountable. Legal empowerment of such groups furthers human security and development while checking the exercise of political and business power.

Transitional justice is essential if disputes are to be resolved peacefully and people who suffer harm during conflict are to win effective redress. Transitional justice measures can contribute to building a rule of law culture by holding those who commit atrocities and severe human rights abuses to account, in fair and legal proceedings, making clear that no one is above the law. It is important to balance the demands of peace and justice, and recognize that international or national prosecutions may complicate peace processes. They can be supplemented with other measures such as truth-seeking, reparations and memorials. Forensic investigation and fact-finding can often help establish a historical record, which is crucial for reconciliation and non-recurrence of conflict.

2

Fostering a Rule of Law Culture

Private law plays an important part in fostering a rule of law culture. For example, enforceable property rights mean that people can use the law to protect their legitimate interests, and enforceable contracts can encourage entrepreneurship, job creation and equitable economic development by giving security to both foreign and domestic investors.

Tools

Peer-to-peer knowledge sharing among local and international peacebuilders who share the same or similar professional backgrounds in the rule of law helps them to crystallize and disseminate what they have learnt.

Comprehensive legal education builds domestic capacity by teaching local law students and legal professionals about national law and local customary law, as well as international legal standards and principles. Legal aid clinics allow students and professionals to gain valuable experience, while providing vulnerable groups with legal services at little or no cost.

Education about human rights, access to justice and legal aid programs can help to empower vulnerable groups. School curricula and the creative use of commercial, community and social media can educate local populations about access to justice. Delivering legal aid alongside non-legal services such as education or midwifery allows vulnerable groups to obtain such aid easily and inconspicuously.

Specific tools for reconciling formal and informal justice systems include: recording decisions made in informal justice

2

Fostering a Rule of Law Culture

systems to establish legal precedents and ensure that outcomes are consistent and predictable; creating typologies of cases to be channeled through either formal or informal systems;⁷ using formal systems as appeal courts for informal ones, thereby making it easier to bring informal judgments in line with international standards, and also to enforce them; and incorporating aspects of informal systems favored by local people (e.g. restorative justice and economic compensation) into formal ones.

Policy Recommendations

Gain and maintain legitimacy

Practice what you preach, both in your own behavior and in the programs you introduce.

Foster a rule of law culture throughout the peacebuilding process

Devise initiatives that are consistent with international standards, but specific to the local context. Consult local stakeholders, including those who hold moral authority and can facilitate change as well as vulnerable populations, to design measures that respond to local needs and build confidence in the rule of law.

Provide material support

Fund legal aid, legal literacy and alternative dispute resolution programs, particularly those that serve vulnerable groups.

Invest in future generations

A lasting rule of law culture will depend on young people, who also reap its benefits. Develop academic curricula and children's media

2

Fostering a Rule of Law Culture

that promote awareness of human rights and of what the rule of law means.

Avoid double standards

International actors must respect the rule of law at the international level, if they are to be at all credible in urging accountability and transparency of legal systems at the national or subnational level.

3

A Network Response

3

A ‘network response’ is one in which both local and international stakeholders take part, encouraging cooperation between individuals and institutions in different sectors. Drawing on experience in other fields where networks play an important role in governance, the principle builds on ‘whole of society’ approaches, which bring together government departments, international and regional organizations, military actors and civil society. Networks are particularly useful in the aftermath of conflict given that they are voluntary, rely on information and learning, foster trust among participants and work more flexibly than other organizational methods.⁸ More important than formal participation of every actor is a ‘coalition of the relevant’, giving rise to a shifting constellation of actors, who each use their comparative advantages to carry out specific tasks.

Just as the causes of conflict are increasingly network-driven, so too must the response be. Armed conflicts, whether inter or intra-state, are often exacerbated by cross-border phenomena such as refugee flows, nomadic armed groups, and criminal networks trading in narcotics, small arms or minerals. Such phenomena create negative feedback loops, in which different forms of violence feed on each other. Conflicts begin and recur as a result not only of national and regional factors, but also of local disputes over land and resources. But while the causes of conflict are increasingly complex, traditional prevention strategies remain focused on state level factors, largely ignoring both transnational and local ones.

How to Engage

When coordination fails, different actors have different understandings of the context, and therefore different priorities. This can happen because they are applying different paradigms, driven by their mandates and lines of accountability, and are not following the lead set by legitimate host governments. Fragmentation results, with donors (and the agencies they fund) pursuing policies dictated by their own national priorities and influenced by past or current engagement with different parts of the societies they are trying to help. To some extent this is inevitable – different agencies are bound to have different operational goals – but they should at the very least adopt a shared vision of the lasting peace they are all aiming for. **Subsidiary goals may not be shared, but should be complementary** and based on a common understanding of the factors that may cause conflict to recur.

Some methods of identifying and implementing complementary goals have worked better than others. **Strategic frameworks**, which seek to delineate the roles and objectives of various national and international actors, explicitly aligning international efforts behind national priorities and ensuring that each actor's commitments are realistic and sustainable, are now standard in all UN integrated missions. In Burundi, for example, the UN Integrated Strategic Framework brought together humanitarian and development actors, as well as the mission plan mandated by the UN Security Council. While such frameworks are a useful development, further work is needed to eliminate disconnected planning, identify specific opportunities for alignment and strengthen local ownership. Frameworks should not be determined by the roles that agencies seek, or the funding that they bring to the table. Rather, a strategy should be established based on prior agreement on total available funding and the host government should be encouraged to draw up a multi-year budget based on it.

Fragility assessments, an outcome of the New Deal for Engagement in Fragile States, are an important new tool for aligning action with host-country priorities.

The importance of inclusivity – meaning **structured opportunities for broad participation** – is now generally understood. A network response has the virtue of recognizing that, notwithstanding the importance of strengthening government legitimacy, states are not the only actors whose expertise and access can be useful during a peace process. Businesses, for example, may employ expert mediators and some may operate on long-term planning horizons which fit with the needs of peacemakers. The network model also works better than the dominant ‘peacebuilding culture’ in dealing with ‘bottom up’ conflict dynamics, because it treats decision-makers and beneficiaries in a non-hierarchical way.⁹ Not only are those who have lived through conflicts often best placed to shed light on their causes and the ways they might be resolved, but the very process of consultation is an important means of co-opting erstwhile warring factions and overcoming ingrained mistrust. Elite-level pacts, by contrast, are acutely vulnerable to collapse. Networks which engage civil society are not only suitable for the constitutional aspect of peace processes, but can give the state greater legitimacy by strengthening its capacity to deliver basic services.¹⁰

Tools

Individual incentives are the building blocks of organizational cooperation. Networks rely on knowledge sharing, trust and reciprocity, encouraging information exchange and giving individuals the confidence to work together, through repeated experience. Career

incentives (e.g. the chance to develop one's career by moving between agencies) can aid such practices, but staff should be encouraged to stay in a given country for a reasonable length of time.

Assessment and funding mechanisms are essential means of coordination. Pooled funds (e.g. Multi-Donor Trust Funds) have the benefit of reducing donor-driven fragmentation, lowering transaction costs and improving coordination. Mobilization of resources should be predicated on shared understandings of the context, as in the example of joint post-conflict needs assessment, which has been increasingly adopted by the UN, World Bank and European Commission. The Peacebuilding and Statebuilding Goals established by the New Deal can be used to strengthen country ownership by identifying the right priorities in a specific country, and to mobilize sufficient resources to achieve the desired results.

Technological exchange is dramatically expanding the field of actors involved in peacebuilding. Whether by exerting pressure on authorities or more effectively connecting local 'warners' and 'responders' with each other,¹¹ technology enables citizens of conflict-affected countries to play a much bigger part in efforts to prevent and mitigate conflict. Kenya is in the vanguard of such efforts. It was there that Ushahidi rose to prominence after the 2007-8 political crisis, and a National Conflict Early Warning and Response System is now advancing prevention through SMS and social media. Peacebuilders must learn how to make use of Big Data, for example through crowdsourcing and crisis-mapping programs, and should know what technology is needed in a given context. A network bringing together people with complementary expertise is vital if best use is to be made of such tools, especially given the distinct roles played by private, state, civil society and academic actors in collating, regulating and analyzing data.

Policy Recommendations

Networks, not hierarchies

Traditional peacebuilding actors must be in touch with many more people at the local level. The New Deal for Fragile States has sparked a reevaluation of donor accountability to conflict-affected societies, stressing that donors must defer to legitimate local authority wherever possible. In the same way, national and international authorities must invest in understanding local drivers of conflict and its resolution, and involving grassroots actors in their programs.

Make best use of new technology

New technologies have brought decision-makers closer to those affected by conflict, and can serve as platforms for improved cooperation. They should be used preventively and to ensure broad participation in peace processes. Peacebuilders must take advantage of the particular expertise of different members of the network, and apply relevant technologies in a way that works in the specific context.

Incentivize network responses

Organizational and individual incentives must be developed to promote networks as a governance form. Network analysis of conflict drivers should be integrated into early warning systems, so that the appropriate network can be assembled in response to any given threat.

4

Private Sector Engagement

4

The term ‘private sector’ refers to the part of the economy that is not state controlled and comprises local and international investors as well as businesses run for profit by individuals or companies. These actors range from small local enterprises to large multinational corporations and international investors. Their impact in conflict or post-conflict situations can vary widely.

Since it is in the business of making profits and has historically contributed to both conflict and peacebuilding, the private sector’s role in conflict-affected settings is contentious. In some cases it has contributed to collective action for peace; and private sector development (PSD), both international and local, has a vital role to play in promoting the equitable growth associated with a lasting peace. But often the private sector also plays a role, intentionally or otherwise, in creating or exacerbating conflict. Any approach to sustainable peacebuilding that aims to engage the private sector as a partner and bolster its positive impact must also take account of its role as an actor in conflict.¹²

How to Engage

Legitimate private sector development requires a business enabling environment, characterized by a robust regulatory framework and investment climate. Supporting this environment in conflict-affected settings, and reducing uncertainty for investors, usually involves reforming the security sector, rebuilding the country’s

infrastructure, promoting political stability, and (re)establishing human security. The legal and regulatory framework should guarantee enforceable property and contract rights, among many others, as well as private sector accountability. These reforms, and any other PSD policy, must always be designed and implemented in a way that supports local development.

International policymakers must **engage all relevant actors in the process of reform**, including business associations, community leaders, and representatives of the dispute resolution community. The process must be sensitive to possible tensions between the interests of businesses, governments, and civil society. Local government should be encouraged to respond to the concerns of businesses and civil society, and legitimate legislatures that hold businesses and government accountable should be strengthened. Also, those working on PSD should make sure that their policies help women and young people gain access to resources and power, which is important for inclusivity and long-term sustainable development.

Businesses and governments must **prevent and correct any harm caused by business activity**, for instance by complying with the UN's Guiding Principles on Business and Human Rights and its "Protect, Respect and Remedy" framework. But this will only work if policymakers know and understand private sector incentives. Enjoining businesses to act in a socially responsible way will have little impact if they feel they have no incentive to do so. Representatives of the international community need to be familiar with private sector incentive structures so that they can work with private sector leaders to craft informed strategies that garner private sector support for peacebuilding efforts. **Knowledge about how to collaborate** with the private sector for peacebuilding should be widely shared within the international community, and vice versa.

Tools

Local small and medium-sized enterprises (SMEs) have unique opportunities to contribute to economic and social good. Besides spurring economic growth, local businesspeople can support peace by engaging in citizens' diplomacy in support of official and informal peacebuilding and reconciliation efforts. To assist SMEs, the international community should at a minimum support their access to financing and markets, and provide business training, particularly to empower vulnerable groups. Moreover, donors supporting peacebuilding efforts should ensure that local firms are able to win aid-funded contracts.

Conflict-sensitive foreign direct investment (FDI) can promote economic development, build local capacity, and improve local infrastructure, especially given that private investment tends to increase just when foreign aid flows wane.¹³ To be conflict-sensitive, companies must conduct local risk and impact assessments of the overall conflict context as well as their role in it. These assessments should guide their investment decisions, such as whether to invest and, if so, how to operate. Companies should also listen to local stakeholders before making investment decisions, conduct due diligence on the practices of their contracting partners and security services, and invest in training local staff through public-private-civil society partnerships.¹⁴

Advisory services should be provided to legitimate authorities on FDI, compliance with global agreements (notably, the Extractive Industry Transparency Initiative and the Kimberley Process), and natural resource management. If resources are to be successfully developed in post-conflict situations, it is very important that extractive industries and the revenue derived from them are managed in a transparent and equitable way.

Both politicians and business must be encouraged to follow best practices, in accordance with the UN Global Compact (a voluntary public-private initiative), to ensure that the private sector's impact is positive. The UN's "Protect, Respect, and Remedy" framework spells out in greater detail what best practices are, stressing three complementary pillars – states' duties to protect against human rights abuses by third parties, corporate responsibility to respect human rights, and greater access to effective remedy for victims. It also provides practical guidance to governments, businesses, and civil society.¹⁵ This framework and others should continue to be supported and put into practice.

Dialogue with relevant actors about the private sector's underlying incentives and financial support structure is another key tool. By engaging directly with investors, stock exchanges, and political risk insurance providers, for instance, the international community could gain greater insight into the private sector's incentive structure, which it could use to support responsible practices and concerted action for peace more effectively.

Policy Recommendations

Understand private sector incentives

The international community should undertake concerted efforts to better understand private sector incentives, so that it knows how to encourage the private sector to behave responsibly. It is also important to find out what is holding back private investment in specific country contexts, so that we know how to remove the obstacles.

All in

All relevant actors must be included in regulatory reform processes in conflict-affected settings. Typically these actors will include vulnerable groups, such as women and youth. Small and medium enterprises and direct foreign investors should also be given a hearing, in view of the roles they play in conflict and post-conflict situations and their potential for driving positive economic and social change.

Invest for the long term

Private sector growth is a lengthy process that requires continuous support in terms of training, financing, and access to markets. The international community and local actors should be aware of this and prepared to make long-term investments in it.

Continue to promote responsible practice

The international community should continue to support the spread and implementation of internationally recognized best practices.

5

Strategic Communication

Strategic communication is an emerging practice that helps international and national peacebuilders to coordinate their actions and messages in a way that encourages local populations to support peace and behave accordingly.¹⁶ The long-term legitimacy and viability of peacebuilding depend on sustained commitment by local leaders and communities. Strategic communication can reflect and strengthen this commitment by ensuring those who have the biggest stake in peacebuilding's success play an active part in it.

How to Engage

Strategic communication should be incorporated into the entire cycle of peacebuilding, from planning to execution and evaluation. Already during the planning process, peacebuilders should give priority to **countering unrealistic expectations** among local people that their living conditions will rapidly improve. If such expectations are not carefully managed, the process can lose credibility, and this will be difficult to repair later on. To ensure that these and other messages reach and are understood by those to whom they are addressed, peacebuilders need to help restore, and make use of, local media, both public and private, which will often have been devastated during the conflict. Peacebuilders should take care not to sacrifice the development of credible and independent local media for their own communication needs.

To maintain public trust and legitimacy, peacebuilders must **match their words and deeds**, and take care that their behavior is consistent at different places and times. Actions often speak louder than words: peacebuilders should therefore align their actions and messages in a way that shows understanding of local people's priorities and builds on them to promote sustainable peace. International and national peacebuilders must agree on what they are trying to communicate, and to whom, and how to disseminate their messages in such a way that they coincide with actions and do not conflict with each other.

Peacebuilders should engage in **true two-way communication** that addresses the concerns of local people and includes listening to them, rather than simply broadcasting information or relying on opinion polls. Often they will need not only to report on their own activities, but also to respond quickly to misperceptions and new developments.¹⁷ They should tailor their communications to the most important audiences, making use of research findings on human behavior and being sensitive to the social dynamics and factors that lead people to behave in one way rather than another.

Peacebuilders must be equipped with **linguistic, regional and cultural knowledge** and the skills to collect information through proper questioning and observation techniques. This will enable them to communicate better with local groups, manage uncertain outcomes and respond appropriately to perceptions and misperceptions that their earlier messages may have prompted.¹⁸

Tools

Behavioral campaigns seek to motivate local people from different cultural backgrounds and regions to support peacebuilding efforts by providing the right incentives. These campaigns can best be tested in local focus groups that include people such as representatives of legitimate authorities or moral or community leaders, who can help to develop and disseminate messages. Whereas attitudinal campaigns only target perceptions, which are usually poor predictors of behavior, behavioral campaigns should, over time, change the way people actually behave. For example, attitudinal campaigns that employ billboards to promote positive perceptions of international peacebuilders have often not met their objectives. But behavioral campaigns that directly address the reasons why people manufacture and detonate explosive devices have helped to reduce violence.

Target audience analysis allows peacebuilders to reach local groups and communities with specifically tailored messages through the most effective channels. This analysis should be sensitive to the culture and context of the audience, and pay particular attention to what local people actually think of international peacebuilders, the state, and its institutions. It should aim to go further than commonly used opinion polling, by identifying incentives for engagement. In Afghanistan, such analysis helped civil and military actors understand better who in the society could read and write, and also how communities made decisions. This enabled them to enter into genuine dialogue during traditional gatherings.

Information and communication technologies (ICTs) offer (new) opportunities for peacebuilders to communicate in real time between different parts of the world, and to amplify local voices that support peace. When using ICTs, peacebuilders should be

selective about the core messages they disseminate. Peacebuilders should also encourage the local use of ICTs. Mobile phones have already helped women activists to form networks and have been used to track the activities of corrupt local authorities. Social media can be used to show videos that explain the work and timeline of international peacebuilders. While presenting new opportunities, the information age also poses challenges. For instance, peacebuilders must think about how to respond to misperceptions caused when the behavior of a foreign national or organization which is not part of the peacebuilding mission is nonetheless ascribed to the international community as a whole.

Monitoring and evaluation must inform future strategy by evaluating the actual impact of strategic communication, using consistent behavioral indicators and drawing on the experience of local and international academics and practitioners working in peacebuilding.

Policy Recommendations

Use strategic communication throughout the cycle of peacebuilding. It is essential that international and national peacebuilders coordinate their actions and communications so as to encourage local people to behave in a way that helps cement and sustain peace. Direct communication between peacebuilders and local communities is essential throughout the entire cycle. Peacebuilders should monitor and evaluate their strategic communication efforts by measuring actual changes in behavior, taking into account the effects of conflict as well as the local culture. Their findings should then be used when strategic communication for new peacebuilding operations is being planned.

Stay engaged

Strategic communication is a process, not an event. It will often require the international community to stay involved over a long period. All peacebuilders should be encouraged to use it, and to tap the expertise of other actors such as the private sector, think tanks, and academia.

Invest in strategic communication

The international community should invest in behavioral campaigns, and in training peacebuilders to conduct them. Peacebuilders should be equipped to understand local behavior, needs and capabilities, and to anticipate and respond to (mis)information as well as changing circumstances.

Develop strategic communication for conflict prevention

Strategic communication can support conflict prevention by helping those engaged in it to understand why different groups were behaving in particular ways before violence broke out. The strength of strategic communication lies not only in its ability to target select audiences with specific actions and messages, but also in its adaptability to new weapons and battlefields, such as those provided by ICTs.



Responsibility to Learn

The international community's efforts in post-conflict situations are often hampered by peacebuilders not knowing enough about the conflict context. It is not just that they lack information. Often they fail to grasp the complexity of the rule of law, the nature of the legal system in a particular post-conflict situation, or the way that the two interact; and too often neither aid organizations nor academics, nor indeed their fellow practitioners, have been able to fill these knowledge gaps.¹⁹ In future, therefore, international actors embarking on peacebuilding initiatives must accept that they have a 'Responsibility to Learn' (R2L).

R2L is especially important in the rule of law sector.²⁰ Although establishing the rule of law is an essential task of all peacebuilding initiatives, rule of law projects often flounder because peacebuilders do not understand the legal norms prevailing on the ground. Programs designed by people who know little about the country concerned, with little or no local help, are unlikely to be effective, or to be accepted as legitimate. International legal experts tend to fall back on their own legal systems when designing and implementing such programs, without adequately understanding the law, legal practices or socio-political context in the country where they work.²¹

How to Engage

To fill this knowledge gap, international peacebuilders should **strike the right balance between employing local and international expertise**. They should involve local experts and others with a stake

6

Responsibility to Learn

in the results, thereby encouraging local people to feel that the reforms respond to their needs and ideas, rather than being imposed from outside. Working this way, international peacebuilders will be led to re-examine and revise their assumptions about what will work in a given context.

International donors have an important role to play here. Too often, they have exacerbated foreign biases in reform efforts by imposing their own interests and priorities, and paying too little attention to realities on the ground. In future, they should comply with the clear standards of **transparency and accountability** set out in The New Deal for Fragile States.

To stand a chance of success, peacebuilding must be sustainable. Instead of organizing interventions on a short-term basis and relying on costly international consultants, donors should help peacebuilders **build up their local knowledge over the long term** through consultations with local experts.

Tools

Analyze the local conflict context and justice landscape.²²

Peacebuilders can do this by consulting relevant local and international experts and forming partnerships with strategically chosen local organizations and institutions. This knowledge should be used in designing peacebuilding initiatives. For example, regional experts can advise on how to reconcile formal and informal justice systems. This also helps build local capacity, encourages a local sense of ownership, and makes the peacebuilding process more legitimate in the eyes of local people.

6

Responsibility to Learn

International peacebuilders should engage in continuous learning. For example, after working with local partners, peacebuilders should be debriefed, so that their peers can benefit from the lessons they have learned and the good practices they have developed. International peacebuilders thus become more professional, and their work can be judged by a more useful standard. Wherever possible, information and communication technologies should be used to ensure that knowledge is fully shared. For example, practitioners can form a web-based community, through which they will answer each other's questions in real time, giving people in the field easy access to peacebuilding expertise.

Effective learning depends on monitoring and evaluation.

All conflict situations are dynamic and can change quickly. Therefore it is essential that peacebuilders gather data regularly, to reassess and refine their programs in response to changing circumstances. Monitoring and evaluation ensure that peacebuilding decisions are based on evidence, and are as helpful as possible to those who have to carry them out. The lessons learned from monitoring and evaluation should then be integrated into future planning.

Policy Recommendations

Enable peacebuilders to fulfil their responsibility to learn

This can be done by giving priority to the responsibility to learn in the mandates of peacebuilding organizations, and investing resources in such learning. Constant monitoring and evaluation are needed to ensure that the knowledge base is current and provides peacebuilders with timely information.

6

Responsibility to Learn

Make better use of existing knowledge

The international community has built up considerable expertise in peacebuilding. More and better use can be made of this knowledge to improve future operations, if it is sensibly shared. This can be done by bringing practitioners together in web-based networks through which they can brief each other and answer questions; systematically debriefing each peacebuilder as s/he completes an assignment; and creating readily accessible and searchable archives of relevant knowledge.

Learning through partnerships

Identify and promote new opportunities for learning through partnerships with a wide variety of local and international actors. Collaborating with other peacebuilders helps you learn about the context and sector in which they work. Peacebuilders from different professional and cultural backgrounds gain new insights by working together. Different kinds of partnership – local-international, civil-military, public-private, and interregional – can all be useful in this way.

Conclusion

Drawing on experience in recent operations, international policymakers have become more effective in their efforts to build peace in post-conflict situations. The Hague Approach, while not a comprehensive blueprint for engagement after conflict, draws on many of these lessons to suggest methods of engagement and tools that can improve the prospect of sustainable peace. The Principles stress that peace will not endure unless the divide between international peacebuilders and local communities is bridged. Effective peacebuilding networks are built on national and local ownership and mobilize the expertise of international actors in a way that makes sense in the context. For example, they seek to strike the right balance between recourse to informal and formal justice systems. Building peace requires a concerted, consistent effort by all involved. It is vital to be aware of, and outmaneuver or coopt, those who seek a return to violence for their own ends. When all peacebuilders focus on these aims, and when the lessons of experience are suitably applied, sustainable peace is within our grasp.

About the Principles

Drafted in The Hague with its exceptional constellation of courts, tribunals and international organizations, these principles aim to contribute to conflict prevention and resolution, and the restoration of justice in post-conflict situations.

The Hague Institute is particularly grateful to the City of The Hague for providing the opportunity for the Institute and its partners to work on this important research project. Special thanks are due to the Mayor of The Hague, Jozias van Aartsen, for his personal support. The Institute would also like to thank The Netherlands Ministry of Foreign Affairs, the Van Vollenhoven Institute for Law, Governance and Development at Leiden University, the team of researchers, editors and designers who made this report possible, as well as the expert external reviewers who generously provided comments and guidance. Their invaluable insights greatly improved the quality of this document.

About The Hague Institute for Global Justice

The Hague Institute for Global Justice is an independent, nonpartisan organization established to conduct interdisciplinary policy-relevant research, develop practitioner tools, and convene experts, practitioners and policy-makers to facilitate knowledge sharing.

Through this work, the Institute aims to contribute to, and further strengthen, the global framework for preventing and resolving conflict and promoting international peace. The Hague Institute for Global Justice, or simply The Hague Institute, was established in 2011 by the city of The Hague, key Hague-based organizations and with support from the Dutch government. Located in the city that has been a symbol of peace and justice for over a century, The Hague Institute is uniquely positioned to address issues at the intersection of peace, security and justice.

Endnotes

- 1 | The World Bank, *World Development Report 2011: Conflict, Security and Development* (Washington, DC: The International Bank for Reconstruction and Development / The World Bank, 2011).
- 2 | United Nations Secretary-General, *Peacebuilding in the aftermath of conflict: Report of the Secretary-General*, (A/67/499-S/2012/746), October 8, 2012.
- 3 | Charles T. Call, *Why Peace Fails: The Causes and Prevention of Civil War Recurrence* (Washington, DC: Georgetown University Press, 2012), 50-66.
- 4 | United States Institute of Peace, *Strategic Framework: Preventing Violent Conflict* (Washington, DC: United States Institute of Peace, 2009).
- 5 | United Nations Security Council (SC), *The rule of law and transitional justice in conflict and post-conflict societies*, (S/2004/616), August 23, 2004.
- 6 | Informal justice systems are those “... encompassing the resolution of disputes and the regulation of conduct by adjudication or the assistance of a neutral third party that is not a part of the judiciary as established by law and/or whose substantive, procedural or structural foundation is not primarily based on statutory law.” Danish Institute for Human Rights, *Informal Justice Systems: Charting a Course for Human Rights-Based Engagement* (New York: UNICEF / UNDP / UN Women, 2012), 8.
- 7 | For example, land disputes may be resolved by informal systems, while criminal cases or cases involving minors or sexual violence may require the due process guarantees and human rights protections of formal systems.
- 8 | Kathryn Sikkink, “The Power of Networks in International Politics,” in *Networked Politics: Agency, Power and Governance*, ed. Miles Kahler (Ithaca, NY: Cornell University Press, 2009), 230.
- 9 | Séverine Autesserre, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding* (Cambridge: Cambridge University Press, 2010).
- 10 | The World Bank, *World Development Report 2011*, 123.
- 11 | Francesco Mancini, ed., *New Technology and the Prevention of Violence and Conflict* (New York: International Peace Institute, 2013).
- 12 | Jane Nelson, *The Business of Peace: The private sector as a partner in conflict prevention and resolution* (London: The Prince of Wales Business Leaders Forum / International Alert / Council on Economic Priorities, 2000).
- 13 | Multilateral Investment Guarantee Agency, *World Investment and Political Risk Report* (Washington, DC: The International Bank for Reconstruction and Development / The World Bank, 2010), 31.

Endnotes

14 | John Bray, *Practice Note 3: Foreign Direct Investment in conflict-affected contexts* (London: International Alert, 2010), 3.

15 | United Nations Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, (HR/PUB/11/04), 2011; John Ruggie, *Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises*, John Ruggie, (A/HRC/17/31), March 21, 2011.

16 | United Nations Peacebuilding Support Office, *UN Peacebuilding: an Orientation* (New York: United Nations, 2010).

17 | Rosa Brooks, "Confessions of a Strategic Communicator: Tales from inside the Pentagon's message machine," *Foreign Policy*, last modified December 6, 2012, last accessed August 5, 2013, http://www.foreignpolicy.com/articles/2012/12/06/confessions_of_a_strategic_communicator.

18 | Andrew Mackay and Steve Tatham, *Behavioural Conflict: Why Understanding People and Their Motives Will Prove Decisive in Future Conflict*, (Essex: Military Studies Press, 2011).

19 | Thomas Carothers, "Problems of Knowledge," in *Promoting the Rule of Law Abroad: In Search of Knowledge*, ed. Thomas Carothers (Washington, DC: Carnegie Endowment for International Peace, 2006), 15-28; Thant Myint-U and Elizabeth Sellwood, *Knowledge and Multilateral Interventions: The UN's Experiences and Cambodia and Bosnia-Herzegovina* (London: Royal Institute of International Affairs, 2000).

20 | Jan Michiel Otto, Jessica Carlisle, and Suliman Ibrahim, eds., *Searching for Justice in Post-Gaddafi Libya* (Leiden: Van Vollenhoven Institute for Law, Governance and Development, 2013).

21 | Wade Channell, "Lessons not Learned about Legal Reform," in *Promoting the Rule of Law Abroad: In Search of Knowledge*, ed. Thomas Carothers (Washington, DC: Carnegie Endowment for International Peace, 2006), 137-159.

22 | 'Conflict-context' refers to all factors which affect the emergence, evolution and continuation of conflict. 'Justice landscape' encompasses justice systems, institutions, and mechanisms as well as justice seekers, problems and remedies.

Endorsements

"The Hague Approach is very much in line with United Nations policy in supporting post-conflict transitions. It has the added value of providing practical tools in key areas of this agenda which all stakeholders can apply."

Jan Eliasson, *Deputy Secretary-General, United Nations*

"This set of principles promises to make significant contributions to the ongoing dialogue over the objective of achieving peace in post-conflict settings. What is more, this initiative is particularly welcome and topical in the current climate, as principled solutions are direly needed to address issues of transitional justice and democratic institution building in war-torn regions."

Peter Tomka, *President, International Court of Justice*

"This work is illustrative of many shared values between The Hague Institute and the International Criminal Court, such as deterrence and the rule of law. As mentioned in the principles, cooperation at every level is indeed necessary, with concerted and consistent efforts by all those involved."

Sang-Hyun Song, *President, International Criminal Court*

"There is great alignment between The Hague Approach and the activities the UN promotes. We hope to continue working with The Hague Institute for Global Justice, especially in light of these relevant principles."

Judy Cheng-Hopkins, *Assistant Secretary-General for Peacebuilding Support, United Nations*

"The Hague Approach proves that, in a relatively short time span, we are improving our knowledge of the complexity of peacebuilding. These principles are based on lessons learned of the past ten years. You might say that is a long period of time. But, actually, if you go back in history, it is a quick learning curve. I hope that these principles get wide dissemination and that practitioners will be aware, and constantly reminded, of these important principles."

Pieter Feith, *Former International Civilian Representative for Kosovo*



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