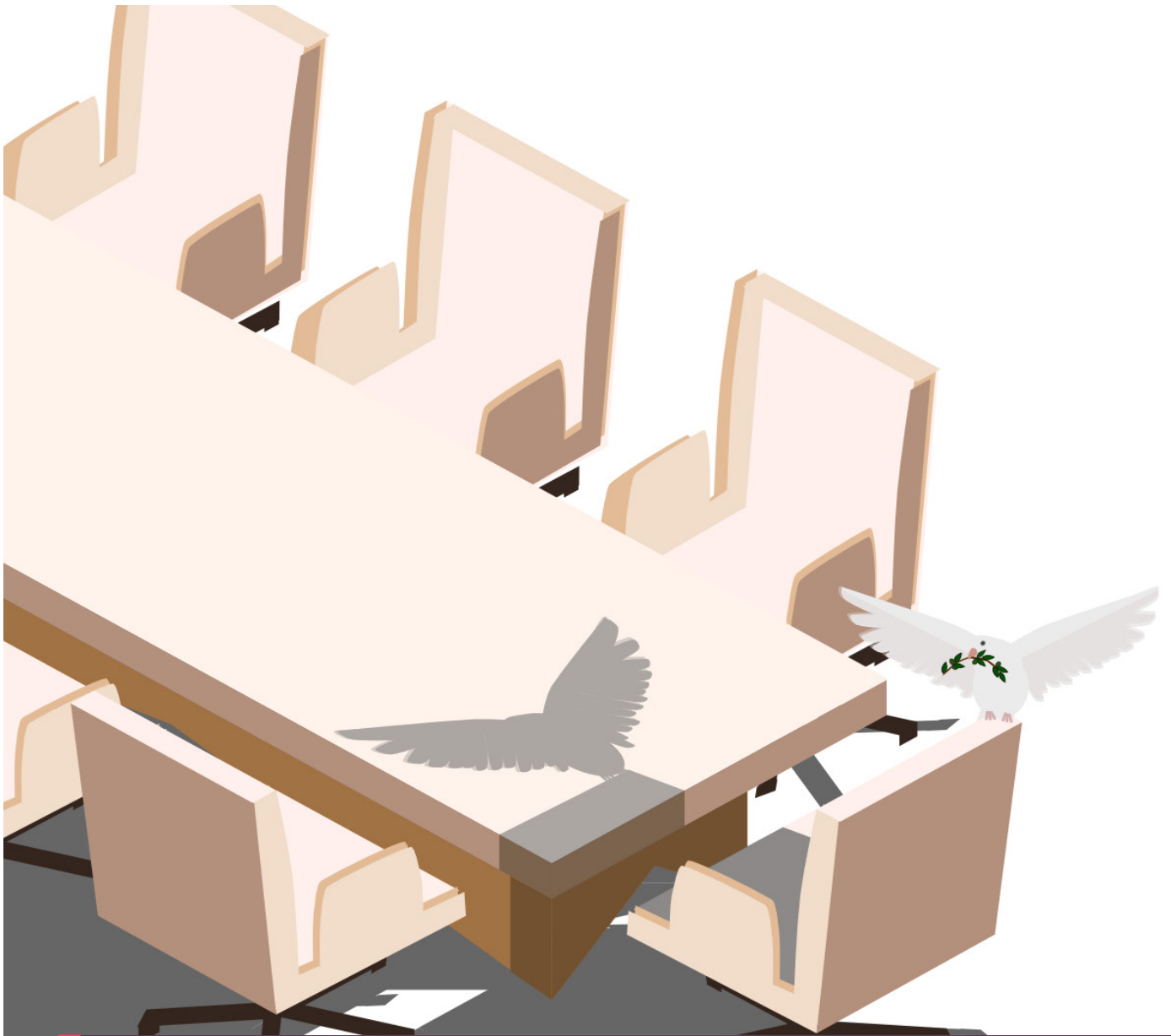




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# PREPARING FOR PEACE: GETTING TO A NEGOTIATED SETTLEMENT OF THE WAR IN UKRAINE

A PROPOSAL FOR GETTING TO AND SETTING UP PEACE TALKS

by Thania Paffenholz, Alexander Bramble, Philip Poppelreuter, and Nick Ross

**Report**

## Table of Contents

<b>Executive Summary</b>	<b>3</b>
<b>1 Introduction</b>	<b>7</b>
<b>2 Comparative Evidence on Peace Negotiations</b>	<b>11</b>
• 2.1 The Case for Peace Processes and How to Start Negotiations	12
• 2.2 Peace Negotiation Formats	14
• 2.2.1 Direct Peace Negotiations	16
• 2.2.2 Multilateral Peace Negotiations	20
• 2.2.3 Inclusion	21
• 2.2.4 Factors Influencing the Start and Conduct of Peace Negotiations	24
• 2.3 The Durability of Peace Agreements	27
• 2.4 National Conversations, Roundtables, or Dialogues	29
<b>3 A Negotiation Framework for Ukraine</b>	<b>31</b>
• 3.1 Design Options for The Negotiation Process	32
<b>4 Action Plan</b>	<b>38</b>
<b>5 References</b>	<b>43</b>

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# Executive Summary

By November 2022, the war in Ukraine, which 141 out of 193 UN member states have referred to as an “aggression against Ukraine”<sup>1</sup>, had displaced one third of the Ukrainian population, killed a verified 6,557 civilians, and caused significant economic and environmental damage in Ukraine. It has led to food and fuel shortages around the world, worsening existing food insecurity and causing an acute cost of living crisis. The war has also given rise to broad geo-political repercussions: it is transforming the post-Cold-War security architecture in Europe, demonstrating the struggle of bodies such as the Organisation for Security and Cooperation in Europe (OSCE) to maintain peace on the continent. It has greatly exacerbated tensions between Russia and NATO and an already increasing trend of militarisation around the world. Sweden and Finland have relinquished decades of military non-alignment with simultaneous applications to join NATO. Germany has reacted with a major shift in its peace and security policy, authorising arms transfers to Ukraine and pledging to invest EUR 100 billion into its armed forces with the aim of becoming a leading European military power.

Ten months into the war, neither Russia nor Ukraine have achieved a decisive victory on the battlefield. The combination of Ukrainian gains between September and November 2022, Russia’s announcement to launch a partial military mobilisation programme, and the current winter season suggest that the fighting will drag on over an extended period of time. Dialogue between the two sides has thus far been limited and the space for a meaningful peace process is still extremely narrow. Yet, as unthinkable as negotiations may currently seem, this would not be the first war involving deeply felt grievances to end in a negotiated settlement, which ultimately constitutes the best chance of ending the war and embarking on a pathway towards a sustainable resolution to the conflict.

The purpose of this report is therefore to provide ideas and options for a framework for reaching a negotiated settlement of the war in Ukraine. It is directed at decision-makers and experts in politics, civil society, and business, as well as the media. The report deliberately refrains from discussing the substance of a potential agreement. Instead, it draws on comparative evidence to illustrate what the negotiation process could look like and how the conflict parties could be brought to the table.

*The case for peace negotiations, how they start, and the factors that affect them*

Comparative evidence indicates that since 1800, negotiations have been the most common way to end wars between states: 38 (or 68%) of the 56 interstate wars that were fought between 1800 and 1980 ended through negotiation;<sup>2</sup> between 1989 and 2010 four of the eight interstate armed conflicts resulted in a peace agreement.<sup>3</sup>

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1 United Nations 2022 and 2022a.

2 Pillar 2014, p. 25.

3 Wallensteen 2015, p. 142.

Peace negotiations most often begin when conflict parties feel that they can better achieve their goals at the negotiation table than on the battlefield; this is when a conflict is 'ripe for resolution'. A mutually damaging stalemate that prevents either of the conflict parties from clinching military victory has proved a strong incentive for adversaries to embark on peace negotiations. Other spurs for negotiations include external shocks – such as financial crises or disasters, changes in the political leadership of a conflict party, and pressure from the business community and/or civil society. **Fighting and negotiating are also not necessarily mutually exclusive.** While there is a danger under such circumstances of negotiations being instrumentalised, fighting and genuine negotiations have proceeded in parallel in past conflicts.

A range of factors determine if and when peace negotiations can start, what the negotiation process looks like, and what outcomes it can produce. Elite support or resistance is one of the most decisive factors in all of these respects. Public support is also crucial and tied to the question of legitimacy. Peace processes and agreements that are perceived as exclusive and elitist often lack legitimacy and hence struggle to sustainably address the drivers of armed conflict. Finally, restoring trust between conflict parties is a prerequisite, albeit often a challenging one, for peace negotiations to start. Regular diplomatic exchange between representatives of the conflict parties as well as transparency and control on the military strength of the other side have been conducive in this regard.

#### *Peace negotiation formats*

**Peace negotiations generally comprise two main formats: direct negotiations between conflict parties and multi-party negotiations.** These can be further classified according to a range of subtypes that vary in the level of transparency/secretcy and the number of actors involved. Secret direct negotiations allow adversaries to build trust and explore political solutions to armed conflict without publicly crossing red lines or abiding by concessions to the other side.

Formal peace negotiations constitute an alternative to secret negotiations or can follow on from fruitful secret talks. Their existence is usually public, but the substance of the talks may remain confidential. Formal peace negotiations have increasingly come to embrace third parties as facilitators, mediators, witnesses, or guarantors. If tensions between the conflict parties prevent direct interaction, proximity talks or shuttle diplomacy can help to ensure diplomatic exchange.

Multi-party negotiations feature multiple actors in addition to the main conflict parties – mainly international and regional organisations or third-party states – although the number of actors can vary considerably. Most importantly, many past peace negotiation processes have employed a mixture of some or even all of these different formats, either sequentially or in parallel.

There are various modalities for including stakeholders beyond the main conflict parties and potential intermediaries in the negotiation formats presented above. Civil

society actors have made influential contributions to past peace negotiations as direct participants in high-level talks, observers, participants in official consultative forums set up in parallel to official negotiations, or around public referenda on the final peace agreement, and also as mediators between conflict parties.

### *A negotiation framework for Ukraine*

The war in Ukraine is a multidimensional armed conflict, encompassing three overlapping but distinct levels: an interstate war between Russia and Ukraine, a “cold war” between Russia and NATO, and a conflict over the position of Eastern Ukraine in the modern Ukrainian state. **The complex situation calls for three interrelated but discrete levels of agreement: a bilateral treaty to end the war, a multi-party treaty on new terms for the European peace and security architecture, and a domestic compact for Ukraine.** Discussions on a domestic compact need to account for the change in the conflict dynamics in Eastern Ukraine since February 2022. Support for Russia among previously pro-Russian Ukrainians has dissipated. Nevertheless, tensions and divisions among the Ukrainian population, deliberately promoted by Russian policy prior to February 2022, still exist and must be addressed in any peace process.

The 2014 Minsk agreement provides a cautionary example of the need to ensure Ukrainian interests are not sidelined. Bilateral talks between Russia and Ukraine constitute the default format option. However, given the need to integrate a regional security dimension, this format comes with the risk of overwhelming Ukrainian negotiators with the burden of representing US and EU interests. As such, two further options present themselves: a small group of states could be given official roles in Russia-Ukraine talks short of full participation; or a multi-party format could be adopted to foster a more cooperative dynamic by affording a degree of representation to a greater number of actors. Both these options could also include a small group of third-party states, and actors from civil society, business or faith organisations in the modalities described above. Some form of external intermediary, such as a mediator or facilitator, could support the parties in reaching an agreement.

Peace talks are traditionally divided into separate tracks to address different thematic issues, either sequentially or in parallel. A multi-party format typically involves specialised working groups or commissions that support the work of the respective thematic tracks. This could also create a degree of flexibility regarding the sequencing of negotiations in the face of currently unknowable questions, such as whether a ceasefire can be reached while other issues remain unresolved.

### *Action plan*

Various strategies exist for third-party countries, and particularly the German government, to pave the way for a negotiated settlement of the war in Ukraine, namely:

- Coordinate with European partners to develop and implement an economic policy towards Russia that helps to create pre-conditions for talks
- Continue engaging with the political leadership in the Kremlin
- Explore opportunities for confidence-building measures between Russia, Ukraine, and third-party states, e.g. hold negotiations on humanitarian corridors or grain exports
- Engage with President Zelensky and his advisors to formulate a clear and coherent position that is conducive to negotiations while still speaking to relevant constituencies in Ukraine
- Continue to provide humanitarian relief support to Ukrainians
- Assemble a team of German organisations with expertise in environmental protection to develop strategies for the mitigation of environmental destruction in Ukraine and an agenda for official negotiations on environmental concerns
- Advocate for a multi-track negotiation format that can deal with the multiple layers of conflict
- Initiate and/or support the establishment of platforms for experts and civil society actors to discuss and develop an agenda for official peace negotiations
- Advocate for a multi-party framework to initiate renegotiations regarding the regional peace and security architecture in Europe and post-Soviet states
- Provide funding and technical support for a civil society and expert platform that prepares negotiations on post-war reconciliation in Ukraine
- Organise workshops for Ukrainian experts and civil society members to have informal discussions about the concept for a Ukrainian national conversation and provide technical, financial, and political support in conducting the actual talks
- Use Germany's new National Security Strategy to reduce militarisation in the long run, align with Feminist Foreign Policy, and make civil society inclusion a core pillar of Germany's future security strategy.

# 1 Introduction

In the first ten months of the war in Ukraine, which began on 24 February 2022, over 14 million people have been displaced internally and across borders<sup>4</sup>, a verified 6,557 civilians have died, and 10,074 more have suffered life-changing injuries.<sup>5</sup> Estimates for battle deaths are upwards of 9,000 Ukrainian soldiers and 25,000 Russian soldiers.<sup>6</sup> The war, which 141 out of 193 UN member states refer to as an “aggression against Ukraine”<sup>7</sup>, has so far caused USD 113.5 billion in damaged infrastructure in Ukraine<sup>8</sup>, in addition to significant environmental destruction.<sup>9</sup>

Against the backdrop of two years of the global COVID-19 pandemic and the ensuing economic recession, the war has led to food and fuel shortages around the world, which have exacerbated existing food insecurity and provoked an acute cost of living crisis. Furthermore, like any crisis, the war in Ukraine disproportionately affects the poorest and most vulnerable, especially women and children. The impact on the Global South has been equally dramatic, with food shortages and price volatility in the energy sector pushing inflation higher and causing popular unrest as living standards drop, pushing many states to the brink of catastrophe.<sup>10</sup>

The war in Ukraine is a multidimensional conflict. Conceptually, three distinct levels of conflict can be identified: firstly, an interstate “hot war” between Russia and Ukraine, started by Russia in February 2022. In this war, Ukrainian interests are manifestly survival and sovereignty, and Russian priorities are seemingly a combination of regional security concerns including limiting NATO expansion to the East, pan-Russian irredentism, and specific strategic goals like securing a land bridge to Crimea. Secondly, a NATO-Russia “cold war” involving the supply of NATO armaments and intelligence to Ukrainian forces, changing NATO force posture, expanded NATO membership, as well as US/EU sanctions against Russia. And finally, a conflict over the position of (primarily Russian-speaking) Eastern Ukraine in the modern Ukrainian state that encompasses questions of – among other

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4 UNHCR 2022 and 2022a.

5 OHCHR 2022.

6 New York Times 2022.

7 United Nations 2022 and 2022a.

8 New York Times 2022.

9 Deutsche Welle 2022; Green European Journal 2022; New Scientist 2022; Reuters 2022.

10 United Nations 2022b.



things – national identity and industrial policy.<sup>11</sup> This complex situation calls for three interrelated but discrete levels of agreement: a bilateral treaty to end the war, a multi-party treaty on new terms for the European peace and security architecture, and a domestic compact for Ukraine. Discussions on a domestic compact need to account for the change in the conflict dynamics in Eastern Ukraine since February 2022. Support for Russia among previously pro-Russian Ukrainians has dissipated. Nevertheless, tensions and divisions among the Ukrainian population, deliberately promoted by Russian policy prior to February 2022, still exist and must be addressed in any peace process.

As such, the war is transforming the post-Cold-War security architecture in Europe. In November 2022, Russia controlled around 18 percent of Ukrainian territory, including Crimea, which it annexed in 2014,<sup>12</sup> demonstrating the inability of bodies such as the Organisation for Security and Cooperation in Europe (OSCE) to prevent the escalation of this kind of crisis into a war. The war has challenged the European and NATO security and military alliances and prompted an accelerated policy shift away from energy dependence on Russia. It has also significantly exacerbated recent tensions between the West and Russia to an extreme degree of polarisation, leading to an abandonment of dialogue in favour of major militarisation.

The US, EU member states, and NATO member countries have largely responded to the war by supplying Ukraine with military technology and armaments and by trying to weaken Russian power and political cohesion with sanctions on influential individuals and major economic sectors, including oil and gas.<sup>13</sup> The impact of these measures, however, has so far had a limited effect on the conflict or the resolve of the Russian leadership.

The reaction and stance of states beyond the direct and indirect conflict parties thus far can be characterised by a mixture of ambiguity, impartiality, and neutrality. At a special emergency session of the UN General Assembly (UNGA) in March 2022 to address the war in Ukraine, a total of 141 states voted in favour of UNGA

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11 Inner-Ukrainian tensions around Eastern Ukraine had been simmering long before the war in Ukraine began in February 2022. Several academic studies have highlighted deep political divisions between the Donetsk and Luhansk regions and Western part of the country (see Katchanovski 2016, p. 1). Language and Ukraine's foreign policy have been particularly contentious issues since the country gained independence in 1991. Since 2014, the armed conflict in Donbas has triggered political tensions among Rada (parliament) members around the degree of autonomy that the Donetsk and Luhansk regions should enjoy moving forward. Demonstrations in the streets of Kyiv have accompanied these parliamentary debates, with some of them turning violent, e.g., in 2015 and 2018 (Fischer 2019, p. 20). Discussions within the Ukrainian government about forming an advisory council that would feature representatives of the Donetsk People's Republic and the Luhansk People's Republic also sparked outrage among pro-Western Rada members in March 2020 (Smith 2020, p. 7).

12 New York Times 2022a.

13 By mid-June 2022, oil prices had increased by USD 30 per barrel as compared to the period before 24 February 2022. Estimates suggest that a complete ban of Russian oil would make crude oil prices reach USD 150 per barrel. International gas prices have also soared (see CSIS 2022). The reduction of Russian gas supply caused European natural gas prices to increase by 50% within a week (Reuters 2022a).

Resolution ES-11/1, with 35 abstentions and five votes against.<sup>14</sup> Yet, almost no countries from the Global South have applied sanctions on Russia issued by the US and the EU. This pattern suggests that states from the Global South, unlike during the Cold War, are trying to avoid taking sides in the ongoing crisis but rather adopt positions that they perceive as protecting their respective interests. It follows that the war's broader geopolitical repercussions are constantly evolving and have the potential to be pronounced, influencing voting blocs in the UN and potentially redrawing traditional alliance systems.

Like its Western partners, Germany has imposed strict economic sanctions against Russia. In line with Article 51 of the Charter of the United Nations,<sup>15</sup> it has also both significantly increased military funding and agreed to arms transfers to Ukraine. Domestically, the German government has pledged to invest an additional EUR 100 billion into the Bundeswehr and become a leading military power.<sup>16</sup> This reaction to the outbreak of the war marks a fundamental break with both Germany's post-World War II foreign and defence policy, and its stance towards Russia. This position was for decades based on dialogue and contributed to Perestroika and Glasnost, creating a conducive environment for peaceful reunification of Germany and ultimately the end of the Cold War. In the post-Cold War era the German dialogue policy with Russia contributed to a prolonged period of peace in Europe. The recent significant policy change has occurred in tandem with the new German government's stated ambition to implement a German Feminist Foreign Policy,<sup>17</sup> which is a policymaking approach to counter militarisation. The mainstream German media have largely embraced the trend towards German militarisation and mostly dismiss negotiations with Russia as unfeasible at this point in time.<sup>18</sup> Yet, the contribution of Germany's post-World War II foreign and defence policy to the peaceful end to the Cold War and later the containment of a military Russian response to NATO's eastward enlargement in 1999 and 2004 illustrate the potential for dialogue to yield results.

UNGA Resolution ES-11/2 "strongly encourages the continued negotiations between all parties, and again urges the immediate peaceful resolution of the conflict between the Russian Federation and Ukraine through political dialogue, negotiations, mediation and other peaceful means in accordance with international law".<sup>19</sup> In terms of dialogue to date, international actors have brokered temporary ceasefires, negotiations have taken place between Russian and Ukrainian politicians on humanitarian corridors, and initial peace talks in Istanbul have been facilitated by the Turkish government. In July 2022, Türkiye and the UN brokered a

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14 United Nations 2022 and 2022a.

15 TAZ 2022.

16 Deutsche Welle 2022a.

17 The German government is currently working on its first comprehensive National Security Strategy that it will presumably release in early 2023. Discussions about the precise substance of that New National Security Strategy are still ongoing in December 2022.

18 See e.g., Focus 2022; Die Welt 2022.

19 United Nations 2022c.

deal between Ukraine and Russia that provided for an end to the blockade of Ukrainian grain exports via the Black Sea.<sup>20</sup> After Russia announced it would pull out of the grain deal in October 2022, the Kremlin and Ukraine agreed on 17 November 2022 to extend the agreement for another 120 days.<sup>21</sup> At the 77th session of the UNGA, multiple states – including China and India – called for a negotiated end to the war. Yet, Ukrainian gains between September and November 2022, Russia’s announcement to launch a partial military mobilisation programme in September 2022, and the current winter season suggest that the fighting will drag on over an extended period of time. As such, the space for a meaningful peace process is still extremely narrow as both parties and their allies hope to make considerable progress on the battlefield before the conflict is ‘ripe for resolution’ and parties see better options at the negotiation table.<sup>22</sup>

Nonetheless, as distant a prospect as negotiations may currently seem, a negotiated settlement ultimately constitutes the best chance of a sustainable resolution to the conflict. The purpose of this report is thus to provide options for a framework for peace negotiations to reach a negotiated settlement of the war in Ukraine. It is directed to decision-makers and experts in politics, civil society, and business, as well as the media. It deliberately avoids addressing the substance and detail of a potential negotiated peace agreement, but instead focuses on what the process could look like and how to get there.

In the context of this study, sustainable peace is understood as reaching a negotiated settlement that ends armed conflict and paves the way for the peaceful coexistence of Russia, Ukraine, and other Eastern and Western European states through a degree of cooperation in a collaborative setting.

The report first presents comparative evidence to describe how wars have been resolved through peace negotiations, often with civil society involvement, offering a context for ‘lessons learned’. Next, the report develops options for a negotiation framework that takes into account the complex socio-political situation within Ukraine and between Ukraine and Russia, as well as between Russia and the West. It concludes with an action plan to capitalise on enabling factors and limit constraining factors to create a pathway to peace negotiations, including specific options regarding Germany’s role in reaching a negotiated settlement for Ukraine and Russia.

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20 IFPRI 2022.

21 NPR 2022.

22 Zartman 2000.

## 2 Comparative Evidence on Peace Negotiations

With very few exceptions, interstate wars do not end with the unconditional surrender of one party.<sup>23</sup> there is almost always a treaty, something to be negotiated, particularly when both conflict parties prevail. Work by Paul R. Pillar indicates that negotiation has proved to be the most prevalent means of ending interstate wars in the past two centuries: 38 (or 68%) of the 56 instances of interstate war between 1800 and 1980 ended through negotiation.<sup>24</sup> Data from the Uppsala Conflict Data Program (UCDP) reveals that four of the eight interstate armed conflicts between 1989 and 2010 resulted in a peace agreement.<sup>25</sup> Negotiations have therefore been the most common way to end wars between states since 1800.<sup>26</sup>

Two factors have driven the prevalence of negotiated settlements to interstate wars.<sup>27</sup> Firstly, the development and proliferation of ever more destructive weaponry has rendered swift military victories increasingly unlikely. Encountering militarily strong adversaries on the battlefield has forced conflict parties to enter negotiations at some point. Secondly, their growing determination to ensure the persistence of their own value system has incentivised state leaders to fight wars they might not have waged in the past. The US participation in the Korean war to contain Communism is a case in point. At the same time, state leaders have been increasingly committed to defending international norms such as the territorial integrity norm,<sup>28</sup> if necessary by threatening or employing violence. The resulting involvement of heavily armed states on both sides of a conflict has produced military stalemates in interstate wars. Section 2.1. shows that these stalemates are conducive to negotiated settlements.

To Ukraine, negotiations with Russia may seem unthinkable at this point given the casualties and devastation caused by the war. But this would not be the first war involving deeply felt grievances to end in a negotiated settlement. As with Russia and Ukraine, most interstate wars are between neighbours.<sup>29</sup> Short of assimilation or permanent occupation, neighbouring states eventually must be able to live with one another – they cannot retreat to the other side of the globe.

This section presents comparative evidence to illustrate how peace negotiations have been conducted, and what implications different design choices may have. A note of caution should be sounded here: most of the recent data on peace

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23 Weisiger 2013, p. 4.

24 Pillar 2014, pp. 18-25.

25 Wallensteen 2015, p. 142.

26 The share of armed intrastate conflicts ending through negotiation has been considerably lower throughout the same period (see Pillar 2014, p. 25). However, the proportion of armed intrastate conflicts producing a negotiated settlement increased considerably during the 1990s (see Howard and Stark 2017).

27 Pillar 2014, pp. 26-28.

28 Zacher 2001.

29 Vasquez 1995.

processes come from studies of intrastate wars, which have been much more prevalent than wars between states since the end of World War II.<sup>30</sup> As such, this section makes use of examples from both intrastate and interstate wars to consider potential options for reaching a negotiated settlement of the war in Ukraine.

## 2.1 The Case for Peace Processes and How to Start Negotiations

Peace processes<sup>31</sup> are generally more likely to lead to “high quality peace”<sup>32</sup> than military victories, which do not address the underlying causes that led to war in the first place.<sup>33</sup> This is also true for interstate wars even though their low incidence since 1946<sup>34</sup> has prevented researchers from drawing conclusions about systematic drivers of quality peace between hostile states.<sup>35</sup> However, Wallensteen’s review of the development of the relations between warring states indicates that addressing territorial disputes is a key to quality peace. The 1957 treaty on the Saarland between France and Germany as well as the 1998 peace agreement between Ecuador and Peru are two cases in point. Both agreements mitigated long-standing territorial disputes by demarcating the shared borders and hence paved the way for in-depth economic and political collaboration between the former warring parties. On the other hand, the failure of other warring parties such as India and Pakistan, Cambodia and Vietnam, or Iran and Iraq to either agree on or fully implement a negotiated settlement of their territorial incompatibilities has made it difficult for these states to establish cordial relations. The potential rapid escalation of tensions and even the outbreak of an armed conflict between these countries are persisting causes of concern today.

The question of why peace negotiations begin has been the subject of considerable study. The most widely accepted explanation draws on the concept of ripeness, which suggests that conflict parties decide to launch negotiations under two conditions. Firstly, according to Zartman, states must realise that they are trapped in a mutually damaging stalemate, in which neither party can defeat the other on the battlefield. Secondly, all conflict parties must consider a negotiated settlement realistic.<sup>36</sup> In Bosnia, for example, the combination of a Croatian offensive and

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30 The Uppsala Conflict Data Program (UCDP) indicates that the number of interstate wars has been well below five for each year since 1991 (see Pettersson et al. 2021).

31 Peace processes have been conceptualised in minimal terms - encompassing only the negotiation phase - but are increasingly understood in broader terms that also encompass the implementation of peace agreements, as well as long-term peace in a country.

32 Please note that the terms high quality and sustainable peace are used interchangeably throughout the study.

33 Joshi and Wallensteen 2018; Wallensteen 2015.

34 The Uppsala Conflict Data Program (UCDP) has counted 49 interstate conflicts between 1946 and 2021, 23 of which were full-fledged interstate wars (see Davies et al. 2022).

35 Wallensteen 2015, p. 161.

36 Pruitt 2008; Zartman 2000, p. 228.

NATO air strikes led Serbian leaders to embrace negotiations. Similarly, the Croatian leadership was aware of its inability to sustain this offensive and hence also committed to negotiations.

Several other factors can lead to forms of ripeness for negotiations beyond a damaging stalemate. Peace negotiations are also often prompted by new and unexpected events, such as financial crises, disasters, or outbreaks of disease. In South Sudan and Indonesia, environmental disasters such as a guinea worm plague<sup>37</sup> or a tsunami incentivised conflict parties to (re)start negotiations to alleviate the humanitarian plight. Warring parties in Colombia (2012-2016) also utilised negotiations as a strategy to gather information about their adversary's terms for a potential peace deal. This new information helped both sides to assess whether negotiations or fighting would help them reach their objectives.<sup>38</sup>

Researchers have identified additional triggers of peace negotiations, including changes in the political leadership of a conflict party.<sup>39</sup> New political leaders have found it easier to break with the policies of their predecessors and initiate negotiations. Moreover, incumbent political leaders fear losing power after signing an unfavourable peace agreement and thus keep fighting. The ousting of Pakistani premier Yahya Khan in 1971 after the country's defeat in the Bangladesh Liberation War and the 1971 Indo-Pakistan War serves as a cautionary example in this regard.<sup>40</sup> New political leaders who assume political power during the war are initially protected from popular anger and in turn any personal consequences when seeking to reach a negotiated settlement.

The significant economic costs associated with armed conflict have also prompted members of the business community to push for peace negotiations, using different strategies. In Northern Ireland, the Confederation of British Industry (CBI) calculated the major economic losses caused by the prevailing sectarian conflict. Summarising their findings in one coherent document, the CBI sought to increase public support and pressure for peace negotiations. South Africa's business community pursued a more direct approach. Significantly impacted by the severe international sanctions against the apartheid regime, South African business actors served as a mediator between the apartheid regime and the opposition parties from 1988 onwards. Their efforts to explore opportunities for a negotiated settlement ultimately paved the way for the peaceful political transition process in the country.

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37 Brickhill 2018, p. 28.

38 Sticher and Vukovic 2021, p. 1293.

39 Ryckman and Braithwaite 2020.

40 Goemans 2000, p. 565.

Pressure by civil society organisations has also supported negotiations in the face of ongoing fighting. In several countries, including Colombia, Liberia, and Nepal, civil society organisations and women's organisations, respectively, took to the streets to pressure conflict parties to engage in peace talks.<sup>41</sup>

Finally, in spite of the fact that ongoing fighting erodes the trust between conflict parties and complicates the launch of negotiations, it is important to note that fighting and negotiating are not mutually exclusive but can be – and often are – pursued simultaneously.<sup>42</sup> Sometimes this is to the detriment of the negotiation process. Actors such as the FARC in Colombia, the Tamil Tigers in Sri Lanka, or the Myanmar government have used ceasefire negotiations to buy time, re-arm groups, and mitigate international pressure to end the conflict.<sup>43</sup> These negotiations later collapsed as the parties remained committed to military victory. Yet in certain cases, a subsequent more genuine process may follow on from initially instrumentalised negotiations. For example, the FARC used the 1999-2002 Colombian peace process under President Pastrana to rearm and gain momentum. At the same time, both conflict parties retained an interest in negotiations. A formal peace process resumed in 2012 and resulted in an agreement in 2016. Yet, both adversaries periodically continued to use armed attacks and violence to demonstrate their strength and improve their bargaining position. As such, the Colombian example illustrates how a degree of fighting and genuine negotiations can co-exist.

## 2.2 Peace Negotiation Formats

Past peace negotiations have proceeded in two main formats: direct negotiations between conflict parties and multi-party negotiations involving a greater number of actors.<sup>44</sup> There are various subtypes of these two negotiation formats, which differ in their level of transparency and involve varying numbers of diverse actors in the negotiations (see Table 1). One key distinction between different negotiation formats revolves around the role of the intermediary; third party intermediaries have contributed to peace negotiations through a range of functions and responsibilities. This section provides a concise overview of the different negotiation formats. It also places strong emphasis on different inclusion strategies that have allowed actors outside the political leadership/beyond the main conflict parties to influence both direct and multilateral peace negotiations. In the context of this paper, inclusion refers to the incorporation of broader segments of society into the negotiation process.

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41 Anderlini 2004, p. 17; Paffenholz 2014, p. 87; Wallensteen and Eriksson 2009.

42 Höglund and Nilsson 2022, p. 289.

43 Chounet-Cambas 2011, pp. 7-8 and 20; Sticher and Vukovic 2021.

44 Please note that multilateral talks are one version of multi-party talks and represent larger shares of the government from around the world, i.e. by involving inter-governmental institutions such as the UN. Moreover, direct talks that involve several parties are not necessarily multi-party talks as constituencies closer to the main parties than to the talks might be involved (see Section 3.1).

**Table 1: Types of negotiation processes**

	Format		
	Secret direct peace negotiations	Formal direct peace negotiations	Multi-party negotiations
<b>Features</b>			
Secrecy	Yes	Partial – existence of talks is public knowledge but content is often confidential	Partial – existence of talks is public knowledge but content of some tracks is sometimes confidential
Actors	Official or unofficial high-level representatives of the conflict parties	Official high-level representatives of conflict parties; sometimes other actors, e.g. civil society or business	Conflict parties; international/regional organisations; third-party states; other stakeholders, e.g. civil society; business
Intermediary	Some talks are exclusive to the conflict parties, others involve intermediaries who can provide mediation, facilitation, good offices, proximity talks, shuttle diplomacy	Some talks are exclusive to the conflict parties, others involve intermediaries who can provide mediation, facilitation, good offices, proximity talks, shuttle diplomacy	Almost always involve one or more official mediators or facilitators.  Can also include intermediaries providing good offices, proximity talks, shuttle diplomacy



	Format		
Inclusion modalities <sup>45</sup>	<p>Informal consultations with other actors;</p> <p>parallel (mostly not directly linked) consultations or dialogue platforms or workshops with lower-level representatives of the conflict parties or experts or civil society to pave the way towards negotiations and influence negotiations</p>	<p>Direct representation at the negotiation table:</p> <ul style="list-style-type: none"> <li>• Separate civil society or business delegations at the negotiation table</li> <li>• Inclusion of civil society or business actors into the formal negotiation delegations</li> <li>• Expert advisors to the parties include civil society or business actors</li> </ul> <p>Observer status at the negotiations</p> <p>Official consultative bodies</p> <p>Informal consultations</p> <p>High-level workshops</p> <p>Public decision-making (often referenda or elections)</p>	<p>Direct representation at the negotiation table:</p> <ul style="list-style-type: none"> <li>• Separate civil society or business delegations at the negotiation table</li> <li>• Inclusion of civil society or business actors into the formal negotiation delegations</li> <li>• Expert advisors to the parties include civil society or business actors</li> </ul> <p>Observer status at the negotiations</p> <p>Official consultative bodies</p> <p>Informal consultations</p> <p>High-level workshops</p> <p>Public decision-making (often referenda or elections)</p> <p>Regional civil society networks</p>

## 2.2.1 Direct Peace Negotiations

The first format is strictly **secret direct negotiations** among a small number of high-level representatives of the conflict parties. Secret negotiations have three main advantages.<sup>46</sup> First, in public negotiations, leaders must usually indicate their willingness to cross their own constituency’s “red lines” as they set the terms on which negotiations will take place. For example, Arab state leaders refused to enter public negotiations with Israel for a long time as this would have forced them to acknowledge the latter’s right to exist. Crossing such red lines can leave leaders

<sup>45</sup> For more details see text box 2 below.

<sup>46</sup> Gilboa 2000, p. 279.

exposed, facing allegations of weakness or even betrayal or treason. Secret negotiations allow leaders to present these concessions to their supporters with their adversary's reciprocal concession already in hand.<sup>47</sup> Second, secret direct negotiations do not force leaders of conflict parties to abide by any concessions to their opponent. While they remain secret, they are purely exploratory and hence come at a very low political cost. In the case of Israel and Palestine, for example, secret negotiations allowed the Palestinian leadership to explore opportunities for a negotiated settlement without officially recognising the existence of Israel. Israel, on the other hand, used the clandestine peace talks to work on a diplomatic solution without granting any legitimacy to the Palestinian Liberation Organization (PLO). Other political leaders including Nelson Mandela from the African National Congress (ANC), and Gerry Adams from Sinn Féin, the political wing of the Irish Republican Army (IRA), have used secret negotiations as a means to conduct exploratory peace negotiations and avoid aggravating more hawkish members of their organisations.

Finally, secret negotiations allow conflict parties to restore trust and better understand their opponent's concerns and objectives.<sup>48</sup> In the most adverse circumstances for peace talks, secret negotiations are sometimes conducted among unofficial insiders (retired leaders, sympathetic academics or journalists, affiliated NGOs, etc.), which avoids the additional risk presented by the revelation that unofficial negotiations have begun.<sup>49</sup> For example, the first five rounds of the secret 1993 Oslo talks did not include direct encounters between Israel and Palestine officials. Instead, Israel sent two university professors to interact with the PLO.

Actors beyond representatives of the main conflict parties are sometimes included in secret direct negotiations, predominantly through parallel informal means – such as consultations, dialogue platforms, or workshops – which bring together lower-level representatives of the conflict parties, experts, and/or civil society representatives with the aim of paving the way towards and influencing negotiations. The Schlaining secret dialogue process (made up of 20 workshops between 2000 and 2007) involved representatives of the Georgian and Abkhaz governments, as well as civil society leaders. The process was facilitated and organised by the UK-based Conciliation Resources and the German-based Berghof Foundation in partnership with Georgian and Abkhaz civil society organisations. Similarly, the OSCE created space for international experts and local civil society members to exchange and comment on the work and positions of high-level negotiators in the Moldova-Transnistria political settlement process.<sup>50</sup>

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47 Pruitt 2008, p. 42.

48 McClintock and Nahimana 2008, pp. 81-82.

49 These talks are often called high-level problem-solving workshops, or occasionally track 1.5 workshops, in reference to their quasi-official character (i.e. track 1 peace talks are official secret or public talks, whereas track 2 talks are unofficial, civil society dialogues).

50 Hill 2013.

**Formal peace negotiations** constitute an alternative to secret negotiations between conflict parties or can follow on from successful secret talks. Formal talks are usually known to the public and the media, although conflict parties often refrain from sharing the details of the negotiations with the public. Formal peace talks can proceed either with or without an intermediary (see Table 1).<sup>51</sup> Diplomatic efforts to resolve long-standing conflicts such as the one between India and Pakistan over Kashmir have not involved third parties. Since the end of the Cold War, however, mediators have accompanied various peace processes, playing a number of different roles (see text box 1).<sup>52</sup>

### **Text box 1: Types of intermediaries**<sup>53</sup>

**Mediation** (sometimes considered a subcategory of negotiation) adds to a negotiation dynamic a third party, to whom some control is ceded over the process, but who does not have any decision-making power over the outcomes. The role of a mediator is to understand the issues of dispute between the parties to the conflict and assist the parties with arriving at a solution to these issues often by tabling compromise solutions. For example, in 1992, the Economic Community of West African States (ECOWAS) proposed a structure for the bargaining process and an outcome document to which the two countries involved in the crisis – Liberia and Sierra Leone – agreed.

**Facilitation** shares many features with mediation but is a milder form of intervention where the facilitator(s) do(es) not suggest solutions but rather create(s) an enabling environment for the talks. For example, Norway, Spain, and Switzerland financed the “House of Peace” in Medellín, Colombia, where the Colombian government and representatives of the Ejército de Liberación Nacional (ELN) met for peace negotiations, but the three states were otherwise not involved in the negotiations.<sup>54</sup> The term facilitator is often used when the conflict parties do not want a strong mediator but rather light support.

Intermediary roles can also change over time, with intermediaries starting as a facilitator and becoming a mediator if the negotiating parties agree. Norway’s transition from the role of facilitator to that of active mediator in the peace talks between Israel and Palestine during the 1990s is a case in point.<sup>55</sup>

51 Armengol 2013, p. 4.

52 Beardsley et al. 2006; Blunck et al. 2017, p. 162; Curran et al. 2004, p. 514; Haspeslagh 2015; Lanz et al. 2008; Sidibé 2020; Wallensteen and Eriksson 2009, p. 16.

53 Paffenholz 2001.

54 Mason and Siegfried 2007, p. 7.

55 Waage 2005.

Parties sometimes attempt to “**embed**” the resulting agreements in international law either through including state parties as **guarantors** or **witnesses** to the agreement, or allocating these parties a role in the **monitoring** of the agreement. Cuba and Norway served as guarantors in the Colombian peace process and worked to ensure that both conflict parties delivered on the commitments they had made during the negotiations. US President Bill Clinton, on the other hand, witnessed the negotiations between the Israeli prime minister Ehud Barak and the president of the Palestinian Authority, Yasser Arafat, at Camp David in 2000. Alternatively, conflict parties can include third state actors in peace negotiation through what Bell calls a “contrived treaty form”.<sup>56</sup> According to this latter approach, second and third states that have some involvement in the conflict but are not the major armed party/parties are involved in negotiations, and sign any resulting agreements. The Dayton Peace Agreement in Bosnia and the British-Irish Treaty that constitutes part of the Good Friday Agreement illustrate this dynamic.

Where third party states commit to **guarantee** or **witness** a peace process, or to **monitor** the implementation of that agreement, this may create international legal obligations. State guarantors or witnesses are obliged not to frustrate the implementation of the peace agreement and to assert best efforts to ensure party compliance. In cases where agreements specify commitments between a witness or guarantor state, only those obligations may be governed by international law.

If tensions between the leaders of conflict parties render face-to-face meetings impossible, proximity talks or shuttle diplomacy can substitute for official negotiations. Both formats involve a go-between who seeks to understand the objectives and concerns of all conflict parties. This could simply be the provision of good offices (relaying messages between the parties in a manner that is secure and confidential) or extend to an approach that looks more like facilitation or mediation. Norway, for example, served as a facilitator in the clandestine Oslo talks between Israel and Palestine, taking on a less influential role.

If the parties nominate a mediator, in proximity talks, the mediator interacts with conflict parties in separate meetings even though the latter are in the same place. The most famous example of proximity talks are the 1977 Camp David Meetings where Israeli Premier Begin and Egyptian President Sadat refused to talk directly to each other despite residing in the same venue.<sup>57</sup> US President Carter met with both sides in various separate meetings and drafted several proposals on the substance of a potential peace agreement. The proximity talks culminated in the

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<sup>56</sup> Bell 2006, p. 389.

<sup>57</sup> Hoffman 2011, p. 268.

Camp David Accords, which established peace between Egypt and Israel. UN and Arab League envoy Staffan de Mistura played a similar role in the Syrian peace negotiations. De Mistura relayed messages between the delegations of Syrian President Assad and the Syrian opposition forces who were in the same venue but refused to enter direct negotiations with each other.<sup>58</sup> Another example of shuttle diplomacy concerns the efforts of US National Security Advisor Henry Kissinger to reach a ceasefire agreement between Israel and Arab nations following the outbreak of the Yom Kippur War in 1973. To this end, Kissinger repeatedly engaged both conflict parties in separate meetings. Business leaders in South Africa equally shuttled back and forth between the apartheid state and black opposition leaders to pave the way for formal negotiations in the late 1980s.<sup>59</sup>

### 2.2.2 Multilateral Peace Negotiations

The second negotiation format concerns formal high-level talks that feature multiple actors such as international and regional organisations or third-party states alongside the main conflict parties. International organisations facilitate the coordination and communication between states, help states to convey information about their opponents and serve as a trustworthy and neutral intermediary.<sup>60</sup> This is also true in situations of escalating hostilities between two states. Moreover, influential international organisations, just like powerful states, have joined negotiations to exploit their military or economic leverage to push conflict parties into a negotiated settlement. In Bosnia, for example, the leadership of the Bosnian Serbs agreed to join negotiations after they had suffered NATO air strikes and severe economic sanctions in 1995. NATO air assaults equally forced the Serbian leadership to re-enter negotiations in Kosovo in 1999.<sup>61</sup>

The number of third-party actors in negotiations has varied considerably. The Normandy negotiations aimed at ending the war in the Donbas region of Ukraine, which led to the Minsk I and Minsk II Agreements in 2014 and 2015, respectively, involved Ukraine, Russia, and the OSCE, with France and Germany serving as mediators. Peace negotiations in Tajikistan in 1992 saw joint mediation efforts by Iran and Russia.<sup>62</sup> Other multilateral negotiations embraced considerably more actors, e.g. the multilateral Israeli-Arab negotiations between 1993 and 1995.<sup>63</sup> Co-sponsored by Russia and the US, these negotiations brought together Israel with Jordan, Egypt, and the Palestinian Authority, as well as Saudi Arabia and the Gulf Cooperation Council, the Arab Maghreb Union, the EU, Japan, and Canada. The multilateral negotiations proceeded in parallel to the bilateral negotiations

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58 Habets 2016, p. 80.

59 Blunck et al. 2017, p. 78.

60 Abbott and Snidal 1998.

61 Allen and Vincent 2011.

62 Sidibé 2020.

63 Kaye 1997; Solingen 2000.

between Israel and Palestine and helped to revive the latter when these stalled.<sup>64</sup> Moreover, political leaders from both sides seized the opportunity to develop personal relations while collaborating in five different working groups on topics such as arms control and regional security. This enhanced level of trust paved the way for future bilateral treaties between Israel and its Arab counterparts.

The OSCE has equally served as a mediator in a number of Eastern European and Eurasian conflicts. The OSCE's most recent mediation activities concerned Armenia and Azerbaijan who have clashed over Nagorno-Karabakh since the 1980s, most recently alongside Russia and Türkiye.<sup>65</sup> However, the example of the OSCE indicates that multilateral high-level peace talks do not guarantee smooth progress. OSCE mediation has averted violence in many post-Soviet states. The recurrence of armed violence in Nagorno-Karabakh and Eastern Ukraine, on the other hand, indicates that OSCE endeavours to breed enduring peace have not always achieved their aim. Researchers attribute the mixed record of OSCE mediation to the organisation's structural flaws, i.e. the lack of an OSCE mandate to impose sanctions on perpetrators of violence in the region, and Russia's foreign policy agenda.<sup>66</sup>

### 2.2.3 Inclusion

The negotiation formats discussed in Sections 2.2.1 and 2.2.2 largely involve relevant high-level politicians. One theory relating to this approach is that reducing the number of negotiating parties reduces the number of different actors that need to sign off on any agreed compromises, or who might want to deliberately undermine the process. Yet, peace agreements negotiated exclusively among high-level politicians may struggle to generate public support and create sustainable outcomes, given that stakeholders beyond the main conflict parties, such as civil society, have not been able to shape the negotiations or the agreement.

There are a series of modalities that can render the negotiation formats presented above more inclusive.<sup>67</sup> Whatever negotiation format negotiating parties ultimately opt for, there is always a way for stakeholders from civil society to raise their voices and influence the negotiations.

Text box 2 highlights the different modalities of civil society inclusion in past direct peace negotiations between conflict parties. The examples provided illustrate the multiple ways in which civil society actors can influence peace negotiations.

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64 Kaye 1997, p. 174.

65 Guliyev and Garwich 2021.

66 Ibid, pp. 2-3.

67 Paffenholz 2014.

## **Text Box 2. Inclusion modalities**

**Direct representation of civil society groups at the negotiation table** – This modality describes the presence of stakeholders beyond the main conflict parties, such as civil society and business actors, at the negotiation table, either as representatives of civil society or as members of official delegations. In the DRC (1999-2003), for example, civil society actors including churches, taxi drivers, and human rights NGOs, among others, were present at the negotiating table as a separate civil society delegation. Similarly, civil society, women and youth representatives attended the National Dialogue Conference in Yemen (2011-2014) as independent constituencies. In Colombia (1998-2002),<sup>68</sup> business leaders joined peace negotiations as part of the government negotiation team.

**Observer status** – This modality sees civil society actors observing the negotiations from inside the negotiation room but without any official mandate. As observers, civil society actors monitor the negotiations, remain informed about the latest development but can also advise negotiation parties when necessary. Peace negotiations in Burundi (2000) and Liberia (2003) witnessed this mode of inclusion.

**Official consultative forums in parallel to official negotiations** – In some cases, civil society actors have set up parallel forums to provide advice during the negotiation process. In Northern Ireland, these civil society forums encompassed researchers, media, religious organisations, and women's groups. If embraced by mediators and negotiation parties, this modality allows civil society actors to make substantial contributions to peace negotiations without sitting at the negotiation table themselves. Examples include Afghanistan (2001) and Guatemala (1994, see below).

**Less formal consultations** – As in the previous model, civil society groups set up forums to influence the negotiation process from outside. Civil society actors can use these forums to inform the mediator(s) about concerns that occupy the broader population. For example, Kofi Annan, mediator in the Kenyan negotiations following the 2007/2008 post-electoral outbreak of violence, engaged directly with civil society actors after the negotiation parties had rejected civil society inclusion in the negotiations.

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68 Rettberg 2003.

**High-level civil society initiatives** – Civil society actors have also initiated workshops to identify and discuss solutions to the drivers of conflict in their country. Such problem-solving workshops often proceed in secret and involve representatives who are close to the negotiating parties' leaders. One example is the 2000-2007 Schlaining process, which provided influential actors from the Georgian and Abkhazian sides to interact and explore strategies to address the key drivers of the conflict.

**Public decision making** – Referendums allow broad segments of society to vote on the outcome of a negotiation process from which they had been excluded. In Northern Ireland, the Good Friday Agreement only went into force after it had been approved by the Northern Irish and Irish electorates. The electorate in Colombia rejected the peace agreement between the government and the FARC at the ballot box.

**Regional civil society networks or forums** have been established to enable civil society to influence multilateral negotiations. Civil society organisations (CSOs) from OSCE member countries have conducted OSCE Civil Society Forum events to develop and share their thematic recommendations with OSCE member states, OSCE political bodies and institutions as well as the international community. In the Great Lakes region, the 12 member states of the International Conference on the Great Lakes region (ICGLR) set up the ICGLR Regional Civil Society Forum (RCSF) to support them in preventing and resolving conflict.<sup>69</sup>

Most importantly, many past peace negotiation processes have employed a mixture of some or even all the different formats presented above, either sequentially or in parallel. This is particularly relevant when secret negotiations among leaders are combined with some form of public consultation. Guatemala reflects the flexibility of this approach. In 1991, the two main conflict parties, i.e. the government and the opposition group URNG, agreed to gather for direct, secret peace negotiations. Three years later, the formal talks started and the Civil Society Assembly (Asamblea de la Sociedad Civil [ASC]) was established as a formal consultative body to the talks. The ASC met in parallel to the negotiations to create consensus on different agenda items, share their positions with the main conflict parties and endorse the final agreement.

Alternating between different negotiation formats has also been found to prevent deadlock or revive stalled peace negotiations. This is particularly true when it comes to sensitive incompatibilities, which can easily derail high-level negotiations. Delegating the discussion of these issues to technical working groups has allowed

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<sup>69</sup> Kamatsiko 2017.



the main conflict parties to reach consensus on various other topics. For example, the Good Friday Agreement in Northern Ireland deliberately left it to future commissions to tackle the challenge of decommissioning.

Finally, various conflict parties have pursued sequenced negotiations to end an armed conflict under conditions of ongoing fighting. Under this approach, conflict parties first seek to rebuild mutual trust<sup>70</sup> (see Table 2) and discuss the conditions for the negotiations or the peace process<sup>71</sup> before focusing on more sensitive issues.<sup>72</sup> Peace negotiations that address all conflicting issues at once often culminate in a comprehensive peace agreement (Burundi 2003, Liberia 2003, Nepal 2006).

## 2.2.4 Factors Influencing the Start and Conduct of Peace Negotiations

Several factors influence the start of peace negotiations, the negotiation process, and its outcomes, irrespective of the negotiation format chosen. If properly addressed, these factors can enhance negotiation processes and increase the legitimacy of their outcomes. Table 2 provides an overview of the factors that affect negotiation processes.

**Table 2. Factors affecting negotiation processes**

Factor	Explanation
Pre negotiation conditions/ the negotiating context	A number of factors can spur “ripe moments” for negotiations, including a damaging stalemate; new and unexpected events, such as financial crises, disasters, or outbreaks of disease; and additional triggers such as changes in the political leadership of a conflict party, or pressure from stakeholders beyond the main conflict parties, e.g. civil society and business actors.

70 There are military, political, cultural, social and media CBMs that can help restore trust between adversaries (see Mason and Siegfried 2013). For example, joint military commissions to monitor the ceasefire bred collaboration among the conflict parties in Sudan after 2002.

71 Högladh 2021, pp. 16-17.

72 Högladh 2021, p. 15; Ross and Schomerus 2020, p. 14; Wallensteen and Eriksson 2009, p. 33.

Factor	Explanation
Elite buy-in	<p>Elite<sup>73</sup> resistance or support is one the most decisive factors in determining if and when negotiations can start, the shape of a peace process, and its outcomes.<sup>74</sup></p> <p>Elites can be divided into two broad categories: those who have agreed to participate in and are included in a formal negotiation process and those who refuse to participate or are excluded from the process. Negotiation strategies dominate in the first cluster, but elites' efforts to influence political views, shape or change the setting of a process, or undermine the process in both categories can have significant effects on the negotiation process.</p>
The role of hardliners	<p>Hardliners can be armed or non-armed actors lobbying for intransigent positions to pursue economic, political, or military interests. To do this they may use different violent and non-violent means to undermine peace negotiation processes for multiple reasons, and to varying degrees. They either seek to advance their specific interests in a peace process, or to undermine any political solution to a conflict whatsoever if they advocate a military approach. While their inclusion may at times be necessary in order to prevent them from becoming spoilers to any future agreement, it may complicate negotiations by giving rise to the need to seek compromise between disparate positions or making compromises and concessions harder to reach.</p>
Role of mediators / facilitators / guarantors	<p>As outlined above in text box 1, several types of intermediaries (i.e. mediators, facilitators, guarantors, witnesses, monitors) can play various roles that serve to further the progress of the negotiation process.</p>
Influence of stakeholders beyond the principal conflict parties	<p>Stakeholders such as civil society, women's groups, and business actors can positively contribute to negotiation processes in a number of ways, including mediating between conflict parties, spurring peace negotiations, and influencing negotiations through the inclusion modalities outlined above.</p>
Public support	<p>Public support is crucial to ensure progress in the negotiation process. Yet, support for the process can decline over time if the public becomes frustrated with delays, diminishing legitimacy, or a lack of progress.</p>

73 Elites are understood here as understood as groups in society who have a disproportionate amount of political, social, and economic power compared to the rest of the society.

74 Hirblinger et al. 2019.

Factor	Explanation
Legitimacy	Legitimacy refers to the social and political contracts that manage formal and informal relationships between states and citizens. <sup>75</sup> International policy has increasingly stressed the importance of legitimacy in preventing or ending armed conflict. Challenges to the legitimacy of a negotiation process can address extremely diverse aspects ranging from the very principle of a negotiated settlement to its design and modalities, and its outcomes. <sup>76</sup>
Third party states, regional organisations, international organisations, and eminent individuals	Can create a conducive environment for the negotiation process, by exploring opportunities for negotiations (both official and unofficial) at the highest political level and providing various kinds of support (material, technical, etc.). Conversely, they can also serve to reduce the space for a negotiation process.
Process design / procedural mechanisms	As outlined above, the design and decision-making mechanisms of a negotiation process have a significant bearing on its ability to reach sustainable outcomes.
Confidence and trust building	Various military, political, cultural, social, and security sector-related confidence and trust building measures (CTBMs) can help restore trust between adversaries. This is key to initiating negotiations for a political settlement of the conflict. <sup>77</sup> For example, the Organisation of American States (OAS) brokered an agreement on CTBMs between Belize and Guatemala to revive the previously collapsed negotiations on territorial disputes. The CTBM agreement foresaw, among other elements, military and police controls, more frequent exchanges between the defence ministries of both countries, and intensified inter-community contact. The CTBM measures contained violence on the ground and contributed to both countries resuming negotiations at a later stage. In Sudan joint military commissions to monitor the ceasefire bred collaboration among the conflict parties after 2002.

75 Ramsbotham and Wennmann 2014, p. 6.

76 Arnault 2014, p. 22.

77 Mason and Siegfried 2013.

## 2.3 The Durability of Peace Agreements

Comparative research shows that the influence of political, economic, or military elites is crucial to the durability of peace agreements. Elites may be divided on whether peace is desirable, and on what terms it can legitimately be made. A peace agreement concluded in the face of elite opposition can give rise to a politics of the “lost cause”, whereby an important constituency feels that peace was concluded on adverse terms while victory was still possible. This narrative can engender a revanchist political project, focused on restoring lost privileges or territories through a return to open war. “Lost cause” projects are largely elite but can also be popular. For example, German opposition to the Weimar Republic (the constitutional order accepted by German elites as part of the Treaty of Versailles in 1919) was founded in a lost cause narrative that held that the German army had been betrayed by its political representatives and specific groups of citizens in the German Empire (i.e. Dolchstoß-Legende).<sup>78</sup> In representative democracies, where intra-elite factionalisation is managed by rotating power, “lost cause” opposition to peace settlements usually takes the form of partisan opposition to an agreement or its legacy. The Trump administration’s abandonment of the Joint Comprehensive Plan of Action (JCPOA), a US/Iran agreement on nuclear disarmament concluded under the Obama administration, reflected an opposition to the terms of the agreement and a preference for renewed hostilities (if not declared war) between the two powers. Similarly, the Democratic Center party in Colombia was opposed to the terms of the 2016 peace agreement concluded between the government of Juan Manuel Santos and the FARC. When Democratic Center candidate, Iván Duque, won the presidency, he reversed core commitments in the agreement, especially those related to environmental protection and natural resource governance.<sup>79</sup>

A lack of popular support can also be detrimental to the sustainability of peace agreements. This has proven to be the case where exclusive “elite deals” that silence or exclude civilian actors beyond the main parties to the conflict have not generated popular support for the ensuing peace agreements. Citizens in Armenia<sup>80</sup> and Mali<sup>81</sup> testified that peace agreements were imposed on them from the outside and therefore regard the peace process as something alien. In these cases, external governments acted as mediators and pushed for a quick negotiated settlement while sidelining civil and political opposition actors. The peace agreement in Mali, for example, envisioned the improvement of dysfunctional political institutions and neglected popular concerns such as poor access to social services. The Russian-brokered peace agreement for Armenia was equally light on substance and relied on the presence of Russian peacekeepers to prevent the recurrence of violence. It follows that core drivers of conflict have remained unaddressed in both cases. The rejection of the 2016 Colombian Peace Agreement by public referendum

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78 Deist and Feuchtwanger 1996.

79 Chatham House 2021; Swisspeace 2021.

80 Chatham House 2020.

81 International Crisis Group 2015.

also underlines the fact that even agreements reached through highly inclusive negotiation processes may not prove sustainable and fail to generate sufficient public awareness and support.

Finally, many peace agreements do not address the key causes of war. One example is the Dayton Agreement for Bosnia, which was expedited by US mediator Richard Holbrooke and did not develop long-term solutions to address conflict drivers.<sup>82</sup> This partially explains why Bosnian society remains divided along the same ethnic fault-lines today. Overall, data compiled by UCDP shows that in the case of 42% of peace agreements concluded to end interstate or intrastate wars between 1975 and 2011, armed conflict recurred within five years of the agreement being signed.<sup>83</sup> This statistical pattern illustrates that peace agreements often struggle to create lasting settlements to conflicts.

Nevertheless, as illustrated in Section 2.1 above, a negotiated settlement of a war is the most effective means of addressing the root causes of the conflict, thereby increasing the likelihood of building a lasting peace. Table 3 provides examples of some of the key enabling components for sustainable peace agreements in conflict-affected countries. Including these components in peace agreements helped these countries to address the obstacles to peace outlined above

**Table 3. Enabling components for sustaining peace agreements**

Components	Country Examples	Explanation
Confidence-building measures (CBMs)	Guatemala (1994), Kenya (2008)	CBMs help to restore trust between conflict parties. For example, in Guatemala, conflict parties signed a human rights accord at the beginning of the peace negotiations. <sup>84</sup>
Public referendum	Northern Ireland (1998), Colombia (2016)	Public referendums are one way to enhance a peace agreement's legitimacy. <sup>85</sup> The reverse is true if the people reject the agreement (Colombia 2016, Guatemala 1999).

82 Curran et al. 2004.

83 Högladh 2011, p. 52.

84 Anderlini 2004, p. 19.

85 Public referendums can take many forms and deal with various themes other than peace agreements (Accetti and Oskian 2020, p. 125; Moeckli and Reimann 2020). No commonly accepted international legal standards to define a legitimate referendum exist. However, for a referendum to be broadly deemed legitimate, it is important to be universal, equal, and free as well as embrace secret suffrage. The broader political context in which a referendum takes place is equally relevant and should allow the competing sides to engage in a high-quality political deliberation process over an extended time period before the electorate casts its vote (Accetti and Oskian 2020, p. 126).

Components	Country Examples	Explanation
Dispute Settlement/ Arbitration Mechanism	Sri Lanka (2002), Nepal (2006), Sudan (2007-2011)	Dispute settlement or arbitration mechanisms mitigate tensions that arise in the implementation of peace agreements. Arbitration can also be used as early as during peace negotiations (e.g. Sudan 2005).
Monitoring Mechanisms	Bougainville (1998), Philippines (2003)	Local and international monitoring groups have helped to ensure that conflict parties comply with all peace agreement provisions.

## 2.4 National Conversations, Roundtables, or Dialogues

Any negotiations to end armed conflict/war or to start a political transition are at risk of being dominated by high-level political actors. National conversations, also called national dialogues, or national roundtables, if thoughtfully designed, can provide an inclusive, broad, and participatory official framework for negotiations. They can address political crises and set countries on a path to political transition and an enduring peace.<sup>86</sup>

National conversations have clear structures, rules, and procedures for dialogue and decision-making. These features are essential to ensuring that a national conversation can produce meaningful and actionable outcomes, even more so when societal divisions are apparent. These processes can last from a few days (as in Egypt) up to several years (e.g. in Nepal and Yemen). The size and composition of national conversations also vary considerably from fewer than a hundred (e.g. Papua New Guinea) to 3,000 participants (in Somaliland).<sup>87</sup>

Comparative evidence suggests that national conversations are particularly conducive to the inclusion of actors beyond the conflict parties, notably civil society. For example, civil society actors have taken the initiative to spur national conversations and make agenda proposals (El Salvador 1988)<sup>88</sup>, mediated between conflict parties (Nicaragua 1985, South Africa 1988)<sup>89</sup>, participated as one of many actors in multi-stakeholder preparatory talks for peace negotiations (Guatemala 1989-1994), and served as official facilitators in the negotiations (South Africa 1991-1993, Tunisia 2013). In any capacity, civil society inclusion

<sup>86</sup> Paffenholz et al. 2017.

<sup>87</sup> Ibid., pp. 32-33.

<sup>88</sup> Eschmann and Nilsson 2022, pp. 10-11.

<sup>89</sup> Nilsson 2018, p. 7.

has helped to enhance the legitimacy of national conversation processes.

Eastern Europe had vast experience with national conversations at the end of the Cold War. The cases of Poland and Czechoslovakia exemplify how roundtables mitigated tensions and enabled the opposition to shape their country's political and economic future after 1989.<sup>90</sup> In Poland, the communist regime and the Solidarity movement agreed on a power-sharing framework that would legalise the Solidarity movement and pave the way for free and fair elections.<sup>91</sup> Most importantly, the constant exchange between the Solidarity movement and the public during the negotiations rendered the transition process highly transparent and more legitimate.<sup>92</sup>

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90 Blunck et al. 2017, p. 19; Welsh 1994, p. 391.

91 Blunck et al. 2017, p. 282.

92 Ibid., pp. 122 and 282.

## 3 A Negotiation Framework for Ukraine

The conflict between Russia and Ukraine is broader than these two parties. Understanding the causes and the conflict system that have bred the war in Ukraine is key to identifying negotiation options.

Conceptually, three distinct levels of conflict can be identified:

1. An interstate “hot war” between Russia and Ukraine. Ukrainian interests are manifestly survival, sovereignty, and territorial integrity, while Russian priorities are seemingly an opaque combination of regional security concerns, pan-Russian irredentism, and specific strategic goals like securing a land bridge to Crimea.
2. A NATO-Russia “cold war” involving the supply of NATO armaments and intelligence to Ukrainian forces, changing NATO force posture, expanded NATO membership, as well as US/EU sanctions against Russia.
3. A conflict over the position of (primarily Russian-speaking) Eastern Ukraine in the modern Ukrainian state that – among other things – encompasses questions of national identity and industrial policy. The conflict dynamics in the east of the country have fundamentally changed since February 2022. Support for Russia among previously pro-Russian Ukrainians has dissipated. Nevertheless, tensions and divisions among the Ukrainian population, deliberately promoted by Russian policy prior to February 2022, still exist and must be addressed in any peace process.

While these conflicts are being waged concurrently, they have distinct causes and therefore involve different levels of agreement:<sup>93</sup> a bilateral Russia-Ukraine treaty to end the war, a multi-party treaty that establishes a new basis for peace and security cooperation in Europe, and some form of domestic political compact on the future of unsettled issues in Ukraine.

Drawing on the aforementioned comparative evidence, this section presents options for designing negotiations that can tether these three levels agreements together in a single process, leading to either sequential agreements or a comprehensive agreement.

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93 For example, Russian speakers in Eastern Ukraine are likely to place less emphasis on the NATO force posture in Finland than on the opportunities for Russian speakers in the Ukrainian civil service, when deciding whether they can accept a negotiated settlement of the conflict. Additionally, while NATO does not get to decide the terms on which Ukraine is prepared to settle with Russia, Ukraine’s future relationship to NATO will be a core issue of dispute in Russia-Ukraine talks.



### 3.1 Design Options for the Negotiation Process

Figure 1 presents options for a potential set-up of a comprehensive negotiation framework for Ukraine and the region that addresses the three levels of conflict described above. The negotiation framework is modular and can be implemented at the same time, in parallel, or consecutively.

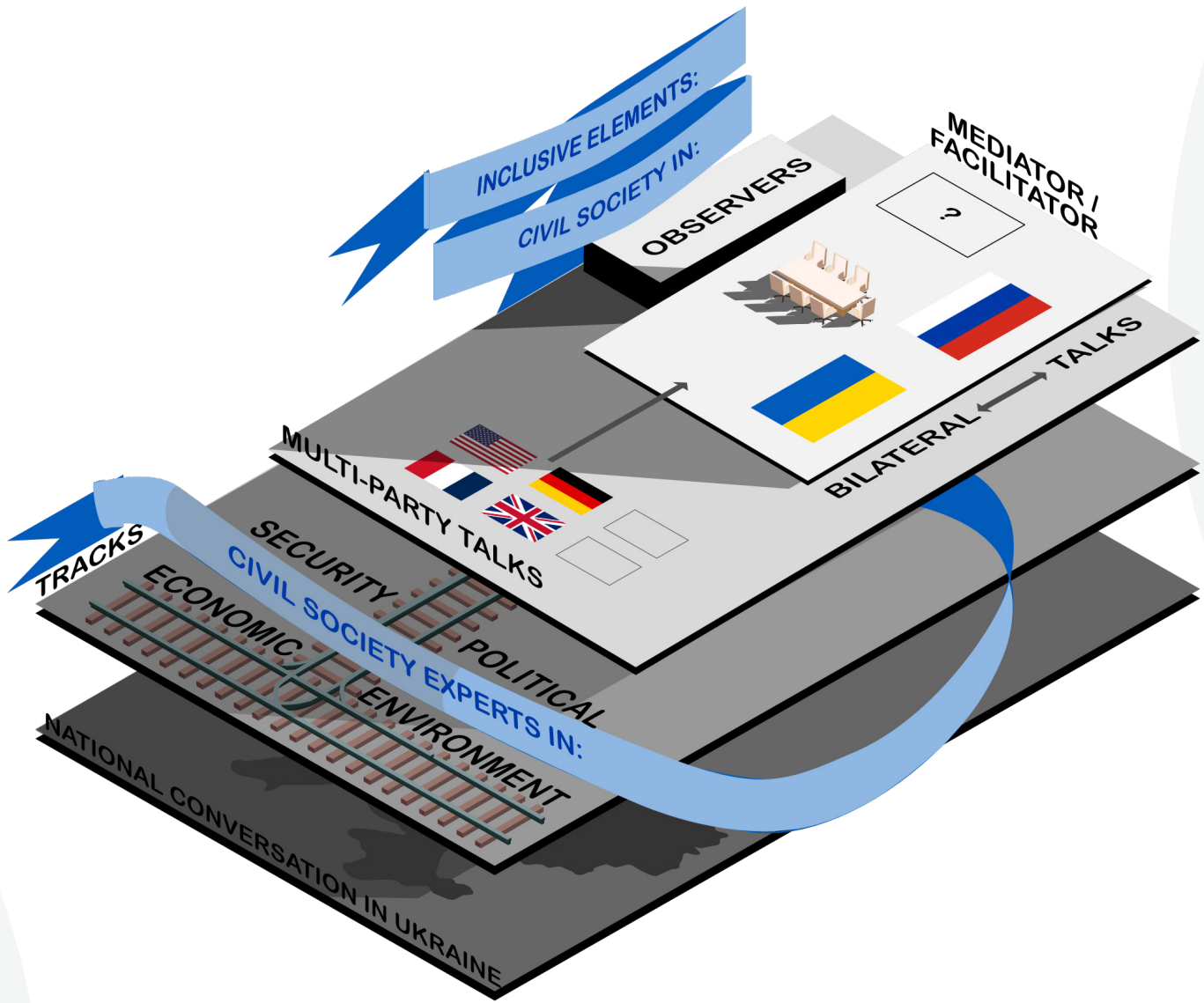
The framework begins with an assumption that bilateral Russia-Ukraine talks constitute the default option, but that it will be necessary to incorporate both the regional security dimension (i.e. the NATO-Russia conflict) as well as conversations within Ukraine. The “process options” listed below describe a range of additional mechanisms for, or reconfigurations of, the expected peace talks, explaining what each might add to the process. The options can be applied all together in a comprehensive process or added sequentially.

The framework is guided by the priority of ensuring that Ukrainian interests are not side-lined in any of the talks. The 2014 Minsk agreement to address the armed conflict in Eastern Ukraine is a cautionary example: Minsk presented a settlement that was acceptable to Russia (at the time) and Ukraine’s patrons in France and Germany, but had little popular support in Ukraine, and did not reflect a viable compromise.<sup>94</sup>

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94 Hess Sargsyan 2019.

Figure 1: Set-up of a comprehensive negotiation framework



## Process Option A. Bilateral or multi-party talks

Three options are available for including the regional security dimension in the peace process. In purely bilateral talks between Russia and Ukraine, the US and EU states could attempt to ensure their interests are understood and represented by Ukrainian negotiators through every diplomatic channel available. This would greatly increase the risk of overwhelming Ukrainian negotiators with the complexity of these competing demands and is not likely to create a conducive environment for peace.

Second, a small group of states could be given official roles in Russia-Ukraine talks short of full participation. This might include sitting as observers in meetings and negotiations (observers could be allowed to be present and sometimes to speak in official spaces), or acting as guarantors (signing the agreement and engaging their own international legal obligations to implement its terms).

The third and final option would be a multi-party format (one in which more than two states negotiate to create an international treaty). This need not necessarily add complexity to the talks: a multi-party format is better understood as altering the default dynamic of bilateral talks (wherein the US and EU states will inevitably be forced to try to engage Ukrainian negotiators as their proxies) towards a more cooperative dynamic, by allowing these states full participation.

## Process Option B. Sequencing

In the traditional practice of peace negotiations, inter-state peace processes are conducted under an armistice. An armistice is a specific form of ceasefire intended to create the conditions under which a definitive peace agreement can be negotiated.<sup>95</sup> The multilateral tracks could be combined with a sequenced approach, whereby the security track (issues related to ensuring the security necessary to achieve a ceasefire) is dealt with first, with the priority of ending further dislocation and loss of life in Ukraine. Following this, the various other tracks could be negotiated as part of a longer normalisation process between Russia and Ukraine, and Russia and NATO.

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95 This distinguishes it from other forms of ceasefire. Truce agreements are the least formal and binding type of ceasefire, signalling only a provisional agreement to temporarily suspend hostilities. Truces may be unwritten or informal, and may impact part or all of the armed forces of one or more parties to a conflict (to allow for the recovery of wounded or burial of the dead). Cessation of hostilities agreements are slightly more formal, committing one or more parties to suspend hostilities for a period of time. Ceasefire agreements are reciprocal, usually negotiated agreements to suspend hostilities, and include more detailed elements such as troop withdrawals, cantonment, and the demobilisation of certain kinds of weaponry. Armistices are like ceasefires, but include the implication that they will lead to a conclusive end of the conflict.

### **Process Option C. Adding Tracks**

Dividing talks into tracks – distinct packages of issues (e.g. security, environment, economic, political, cultural), negotiated separately, and with the possibility of also varying the participation in these mini-negotiations – may help to add flexibility and efficiency to the process. For example, there is a compelling humanitarian imperative behind reaching a ceasefire in the shortest possible time. However, the core question of “can a ceasefire be reached while other issues remain unresolved?” is likely fundamentally unknowable, at least at this stage. A multi-track format allows for an agnostic position on this question: if the security track can reach a provisional ceasefire or armistice (provisional on the remaining tracks reaching agreement), this will save lives; if the parties decide they can only accept a ceasefire once issues of territory have been settled, these two tracks can be prioritised.

Some mediators believe in the approach that “nothing has been agreed until everything has been agreed”. This approach has both advantages – key issues cannot be sidelined – and disadvantages – any gains that can be immediately implemented (for instance progress in the security track) remain in the air.

A multi-track negotiation format would typically involve specialised working groups or commissions that support the thematic work of the various tracks outlined above. Civil society organisations and – in some cases – business actors have deep experience and expertise in issues like security sector governance, arms control, and environmental conservation. They could take part in the talks as members of these commissions and working groups, or provide input through less formal consultations. They could additionally directly take part in the high-level talks, but any civil society representation in this format would be approved through selection criteria and procedures endorsed by both parties to dispel any concerns about bias or mistrust, given the high level of polarisation.

### **Process Option D. Adding observers**

Observers to peace talks can be representatives of states, civil society, religious faiths, or business people. Usually observer states are included because they have potential influence over the process and its outcomes (e.g. neighbouring states or regional powers). If states are not directly included in the talks with a seat at the table or a parallel multi-party negotiation, then granting observer status is a way of including them without a formal decision-making role (see Process Option A). In multi-party talks, where influential states like the US or the EU would likely be present, observer status could be a way to represent states uninvolved in the regional conflict who nevertheless have a stake in the outcome (e.g. China or countries from the Global South).

Observers from civil society or business are mostly granted observer status if they either played an important role in laying the groundwork for the talks or are expected to have a role in the post-agreement phase. Civil society can also take part in the tracks/commissions in addition to having observer status.

### **Process Option E. Including intermediaries**

This element foresees the nomination of an external intermediary, as a mediator or facilitator, to support the parties in reaching an agreement. Türkiye has served as a facilitator in the talks between Russia and Ukraine thus far, given its various advantages: as a NATO member with a constructive relationship with Russia, it is a country with good standing on all sides of the conflict. Türkiye also has leverage over both Russia and Ukraine, through its control over access to the Black Sea, which it has used judiciously during the conflict so far to avoid the implication of siding with one party or the other.

Alternatively, Ukraine and Russia may prefer a more neutral facilitator from a country that has no connection to the conflict, as with Norway's role in the peace process in Sri Lanka. Here, states like Kenya, Mozambique, or Tanzania, have strong records as mediators. Otherwise, parties could nominate a panel of facilitators comprising either several trusted governments or eminent personalities backed by governments as guarantors.

Finally, the US may be acceptable as a kind of biased mediator, as a way of accommodating American interest in the outcome of the negotiations (especially if the other formats described for engaging the US are not adopted). While explicit partisanship may seem contrary to the role of a mediator, biased mediators can be acceptable because they bring unique resources to bear on the conflict, or because they are already parties to the conflict. For example, the US acted as mediator (Richard Holbrooke) during the Bosnian war, even as it was engaged in bombing Republika Srpska forces in an attempt to bring Republika Srpska to the negotiation table.

Another option might be a civil society mediator supported by a secretariat to provide the administrative, analytic, and technical support that a state (or UN or regional organisation) mediator has available in-house. Previous peace processes have often seen high-level civil society personalities (such as Archbishop Desmond Tutu in South Africa) or former politicians from adjacent countries playing this kind of role. In Kenya, Kofi Annan chaired an African Union panel of eminent African personalities. This panel mediated between the country's ruling and main opposition party following the outbreak of post-electoral violence in 2007/2008. For Ukraine, compiling a team of such personas would be important to reflect the heterogeneous nature of the conflict.

## Process Option F. Ukrainian national conversation

The legacy of this war will inevitably require a peacebuilding and reconstruction process within Ukraine, which addresses a range of topics, including the position of (primarily Russian-speaking) Eastern Ukraine in the modern Ukrainian state, and encompasses questions of – among other things – national identity and industrial policy.

This could take the form of an inclusive national conversation or national roundtable. These conversations are broadly inclusive, country-wide negotiation forums typically convened at moments of major political crisis and are meant to produce a consensus roadmap for navigating a way out of the crisis. They are an inclusive forum, claiming to represent the “nation”, usually through political parties, civil society, the private sector, unions, churches, and other social sectors and institutions. It will be for Ukrainians to decide which of these categories apply to their situation and what topics to address.

In previous national conversations,<sup>96</sup> the establishment of topical commissions has proved a promising way to structure and facilitate a national conversation. The themes of topical commissions could include: the environment, social cohesion and culture/language, economic issues, political/governance issues, reconstruction and displacement, and justice and accountability.

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96 Such as Kenya, Guatemala, Afghanistan, and Yemen.

## 4 Action Plan

This study has used comparative evidence to inform the formulation of different process design options for reaching a negotiated settlement of the war in Ukraine. Table 4 identifies relevant enabling and constraining factors for peace negotiations in Ukraine. For each factor, Table 4 then formulates strategies to help state and non-state actors establish a conducive environment and start a pathway towards a negotiated settlement for Ukraine and the broader region. Table 4 equally acknowledges that the ongoing war in Ukraine underlines a need and provides an opportunity for a renegotiation and transformation of the post-Cold-War peace and security architecture in Europe and the post-Soviet states in Central Asia and the Caucasus.

The third column of Table 4 suggests potential strategies for Germany to contribute to a negotiated settlement in Ukraine.

**Table 4: Action plan to further a negotiated settlement**

Factor/Aim	Strategies/Action	Specific Action for Germany
Economic policy towards Russia	A more targeted and coordinated economic policy towards Russia that highlights detailed conditions under which imposing states are willing to gradually lift adverse economic policies directed against the Kremlin could incentivise the Russian leadership to engage in genuine negotiations.	Coordinate with European partners to develop and implement an adjusted economic policy towards Russia that creates pre-conditions for talks.
High-level contacts	Continued high-level interventions to Russian President Putin create space to explore opportunities for (unofficial) negotiations at the highest political level.  Identifying eminent (retired) politicians or diplomats from Ukraine, Russia, or the West or/and the Global South as supporters of a negotiated solution to the ongoing war could thus help to spur negotiations.	Continued engagement of Chancellor Scholz and Foreign Minister Baerbock in this respect.

Factor/Aim	Strategies/Action	Specific Action for Germany
Confidence building measures	Negotiations on humanitarian corridors or mutual concessions as part of a resumption of grain exports from Ukraine and Russia <sup>97</sup> could help to mitigate distrust, initiate a series of trust building activities and enable further negotiations between Russia and Ukraine, but also between Russia and EU member states and NATO member countries.	Prepare for and engage in negotiations with Russia about potential reciprocal concessions.
Opposition to negotiations within the principal parties to the conflict	Ukrainian President Zelensky's stance on negotiations with Russia has fluctuated, potentially suggesting a degree of disagreement among his inner-circle or supporters. Engage with the Ukrainian President and his advisors to formulate a clear and coherent position that is conducive to the negotiations while still speaking to relevant constituencies in Ukraine.	Germany is very well placed to carry out this role both bilaterally and within the EU and NATO blocs.
The significant humanitarian plight that Ukrainians are experiencing has limited their willingness to negotiate with Russia	Continue to provide humanitarian relief and reconstruction support as an urgent priority.	Continue to provide humanitarian relief and support as an urgent priority.

<sup>97</sup> This would include renewed shipping line access for Ukraine. Russia has blocked Ukraine's Black Sea ports which used to be a hub for Ukrainian grain exports, shortly after the war in Ukraine began (see Al Jazeera 2022). At the same time, Western sanctions complicate grain exports from Russia, too (see Reuters 2022b).



Factor/Aim	Strategies/Action	Specific Action for Germany
Address environmental repercussions of the war in Ukraine		German organisations with expertise on environmental protection gather to outline both strategies on how to mitigate environmental destruction in Ukraine and an agenda for official negotiations on environmental concerns.
The multiple layers of conflict: finding a negotiated solution that addresses all these dimensions is a challenging undertaking		Advocate for a multi-track negotiation format that can deal with these layers.
Renegotiate the European peace and security architecture	Acknowledge the reality that a peace agreement – and potentially even a ceasefire – between Russia and Ukraine is only one element of broader European, Euro-Atlantic, and Eurasian peace and security issues that remained unresolved after the end of the Cold War, and which would be an important component in any meaningful renegotiation of the international and regional peace and security architecture.	Advocate for a multi-party negotiation framework outlined above to initiate renegotiations about the regional peace and security architecture in Europe and the post-Soviet states.

Factor/Aim	Strategies/Action	Specific Action for Germany
Facilitate a Ukrainian national conversation	Provide technical, logistical, and financial support as needed. This could include high-level and grass-root level exchange with the Ukrainian government but also Ukrainian civil society actors on the preparations for the conversation.	The German government could support expert and civil society workshops to bring together different ideas for developing the concept for a national conversation in Ukraine and have informal conversations about such a process. Once there is an interest in the process, Germany could offer technical, logistical, and financial support as needed. This could include high-level and grass-root level exchange with the Ukrainian government but also Ukrainian civil society actors on the preparations for the conversation.
Facilitate meaningful participation of stakeholders beyond the main conflict parties	<p>Create international solidarity: approach political and civil society leaders and networks from Eastern Europe, and other parts of the globe who are encountering major challenges due to the war in Ukraine and could thus bolster such a campaign.</p> <p>Establish a civil society and expert platform that can already start developing a roadmap and ideas for peace and that can play a crucial role in starting and preparing for negotiations and agendas. Also facilitate spaces where civil society and academics can jointly develop strategies to enhance negotiations around a new Eurasian security architecture.</p>	<p>Provide technical and financial support for a civil society and expert platform and similar supportive initiatives that work to outline negotiations on post-conflict reconciliation in Ukraine.</p> <p>Initiate and/or support the establishment of platforms for experts and civil society actors to discuss and develop an agenda for official negotiations (e.g. political track, security track, environmental track etc.)</p>

Factor/Aim	Strategies/Action	Specific Action for Germany
Mitigate militarisation	Initiate discussions about arms control measures, disarmament, transparency in military procurement and security-related confidence building measures in Europe.	It would be helpful for Germany to promote a broader understanding of security that goes beyond militarisation in its new National Security Strategy. This could imply reducing militarisation in the long term to align with Feminist Foreign Policy as well as making civil society inclusion a core pillar of Germany's future security strategy.

## 5 References

- Abbott, K. W. and Snidal, D., 1998. Why states act through formal international organisations. *The Journal of Conflict Resolution*, 42(1), pp. 3-32.
- Accetti, C.I. and Oskian, G., 2020. What is a consultative referendum? The democratic legitimacy of popular consultations. *Perspectives on Politics*, 20(1), pp. 123-138.
- Al Jazeera, 2022. Russia says opening marine ports would need review of sanctions. (available at: <https://www.aljazeera.com/news/2022/5/19/russia-says-opening-ukraine-ports-would-need-review-of-sanctions> [last accessed: 11/07/2022]).
- Allen, S.H. and Vincent, T., 2011. Bombing to bargain? The air war for Kosovo. *Foreign Policy Analysis*, 7(1), pp. 1-26.
- Anderlini, S.N., 2004. Peace negotiations and agreements. *Inclusive security, sustainable peace: A toolkit for advocacy and action*, 1632, pp. 37-50.
- Armengol, V.F., 2013. The principles of mediation and the role of third parties in peace processes. *Norwegian Peacebuilding Resource Centre Report*.
- Arnault, J., 2014. Legitimacy and peace processes: International norms and local realities. In: Ramsbotham, A. and Wennmann, A. (eds.). *Legitimacy in peace processes: From Coercion to Consent*, Accord 25, Conciliation Resources, pp. 21-25 (available at: <https://peacemaker.un.org/sites/peacemaker.un.org/files/Accord25-ConciliationResources-2014.pdf> [last accessed: 18/11/2022]).
- Beardsley, K.C., Quinn, D.M., Biswas, B. and Wilkenfeld, J., 2006. Mediation style and crisis outcomes. *Journal of conflict resolution*, 50(1), pp. 58-86.
- Bell, C., 2006. Peace agreements: Their nature and legal status. *American Journal of International Law*, 100(2), pp. 373-412.
- Blunck, M., Vimalarajah, L., Wils, O., von Burg, C., Lanz, D., Mubashir, M., Prinz, V. and Denkovski, D., 2017. *National Dialogue Handbook: A Guide for Practitioners*. Berlin: Berghof Foundation.
- Brickhill, J., 2018. Mediating security arrangements in peace processes: Critical perspectives from the field. ETH Zurich. (available at: [https://www.research-collection.ethz.ch/bitstream/handle/20.500.11850/314620/MediationResources-Mediating\\_Security\\_2018.pdf?sequence=1](https://www.research-collection.ethz.ch/bitstream/handle/20.500.11850/314620/MediationResources-Mediating_Security_2018.pdf?sequence=1) [last accessed: 11/06/2022]).

- Center for Strategic & International Studies (CSIS), 2022. Smart Oil Sanctions Against Russia. (available at: <https://www.csis.org/analysis/smart-oil-sanctions-against-russia> [last accessed: 13/09/2022]).
- Chatham House, 2020. Russia's peace imposed on Armenia-Azerbaijan bloodshed. (available at: <https://www.chathamhouse.org/2020/11/russias-peace-imposed-armenia-azerbaijan-bloodshed> [last accessed: 11/06/2022]).
- Chatham House, 2021. Power rivalries put pressure on Colombia's peace treaty. (available at: <https://www.chathamhouse.org/2021/02/power-rivalries-put-pressure-colombias-peace-treaty> [last accessed: 03/07/2022]).
- Chounet-Cambas, L., 2011. Negotiating ceasefires: dilemmas & options for mediators, *Mediation Practice Series*, 3, Geneva: Centre for Humanitarian Dialogue, pp. 1–40.
- Curran, D., Sebenius, J.K. and Watkins, M., 2004. Two paths to peace: Contrasting George Mitchell in Northern Ireland with Richard Holbrooke in Bosnia-Herzegovina. *Negotiation Journal*, 20(4), pp. 513-537.
- Davies, S., Pettersson, T. and Öberg, M., 2022. Organised violence 1989-2021 and drone warfare. *Journal of Peace Research*, 59(4), pp. 593-610.
- Deist, W. and Feuchtwanger, E.J., 1996. The military collapse of the German empire: the reality behind the stab-in-the-back myth. *War in History*, 3(2), pp. 186-207.
- Deutsche Welle, 2022. Ukraine war: Russia's dangerous actions in Chernobyl. (available at: <https://www.dw.com/en/ukraine-war-russias-dangerous-actions-in-chernobyl/av-61600024> [last accessed: 03/07/2022]).
- Deutsche Welle, 2022a. Germany must accept leading military role, says defense minister. (available at: <https://www.dw.com/en/germany-must-accept-leading-military-role-says-defense-minister/a-63089386> [last accessed: 13/09/2022]).
- Die Welt, 2022. Putins Krieg gegen die Ukraine wird allein auf dem Schlachtfeld entschieden. (available at: <https://www.welt.de/debatte/kommentare/plus239917117/Ukraine-Krieg-Der-Westen-ist-staerker-als-Putin.html> [last accessed: 13/09/2022]).
- Eschmann, N. and Nilsson, D., 2022. Better together? Civil society coordination during peace negotiations. *Cooperation and Conflict*, pp. 1-19.

- Fischer, S., 2019. The Donbas conflict: Opposing interests and narratives, difficult peace processes. SWP Research Paper, 5/2019 (available at: [https://www.ssoar.info/ssoar/bitstream/handle/document/62708/ssoar-2019-fischer-The\\_Donbas\\_conflict\\_opposing\\_interests.pdf?sequence=1](https://www.ssoar.info/ssoar/bitstream/handle/document/62708/ssoar-2019-fischer-The_Donbas_conflict_opposing_interests.pdf?sequence=1) [last accessed: 18/11/2022]).
- Focus, 2022. Aus Scholz' Zeitenwende ist eine „verpasste historische Chance“ geworden. (available at: [https://www.focus.de/politik/deutschland/viel-kritik-an-den-plaenen-des-kanzlers-aus-scholz-zeitenwende-ist-eine-verpasste-historische-chance-geworden\\_id\\_83805227.html](https://www.focus.de/politik/deutschland/viel-kritik-an-den-plaenen-des-kanzlers-aus-scholz-zeitenwende-ist-eine-verpasste-historische-chance-geworden_id_83805227.html) [last accessed: 13/09/2022]).
- Gilboa, E., 2000. Mass communication and diplomacy: A theoretical framework. *Communication theory*, 10(3), pp. 275-309.
- Goemans, H.E., 2000. Fighting for survival: The fate of leaders and the duration of war. *Journal of Conflict Resolution*, 44(5), pp. 555-579.
- Green European Journal, 2022. The environmental costs of the war in Ukraine. (available at: <https://www.greeneuropeanjournal.eu/the-environmental-cost-of-the-war-in-ukraine/> [last accessed: 11/06/2022]).
- Guliyev, F. and Gawrich, A., 2021. OSCE mediation strategies in Eastern Ukraine and Nagorno-Karabakh: a comparative analysis. *European Security*, pp. 1-20.
- Habets, I., 2016. Obstacles to a Syrian peace: The interference of interests. *European View*, 15, pp. 77-85.
- Haspelslagh, S., 2015. What next for the peace negotiation between the Colombian government and the FARC?. *LSE Global South Unit Policy Brief Series*, Policy Brief No.1/2015 (available at: <http://eprints.lse.ac.uk/65198/1/LSE-GSU-Policy-Brief-1-2015-%28Haspelslagh%29.pdf> [last accessed: 11/06/2022]).
- Hess Sargsyan, A., 2019. Unpacking complexity in the Ukraine peace process. *CSS Analyses in Security Policy*, No. 243, ETH Zurich (available at: <https://www.research-collection.ethz.ch/bitstream/handle/20.500.11850/335680/CSSAnalyse243-EN.pdf?sequence=2> [last accessed: 18/11/2022]).
- Hill, W.H., 2013. The OSCE and the Moldova-Transdnistria conflict: Lessons in mediation and conflict management. *Security and Human Rights*, 24, pp. 287-297.
- Hirblinger, A., van Hooff, S., Kellogg, M. and Paffenholz, T., 2019. Supporting or resisting change: elite strategies in war to peace and political transitions. *Report on Inclusive Peace & Transition Initiative, Graduate Institute of International and Development Studies*.

- Hoffman, D.A., 2011. Mediation and the art of shuttle diplomacy. *Negotiation Journal*, 27(3), pp. 263-309.
- Högbladh, S., 2011. Peace agreements 1975-2011-Updating the UCDP peace agreement dataset. *States in armed conflict*, 55, pp. 85-105.
- Högbladh, S., 2021. Peace agreements in armed conflict: Focusing on finding a solution to the conflict incompatibility. *Datasets and Mathematical Methods in Peace and Conflict Study*, pp. 11-23.
- Höglund, K. and Nilsson, D., 2022. Violence and peace processes. In: Mac Ginty, R. and Wanis-St.John, A. (eds.). *Contemporary Peacemaking*, Cham: Palgrave Macmillan, pp. 289-306.
- Howard, L.M. and Stark, A., 2017. How civil wars end. The international system, norms, and the role of external actors. *International Security*, 42(3), pp. 127-171.
- International Crisis Group, 2015. Mali: An imposed peace?. (available at <https://www.crisisgroup.org/africa/west-africa/mali/mali-imposed-peace> [last accessed: 11/06/2022]).
- International Food Policy Research Institute (IFPRI), 2022. The Russia-Ukraine grain agreement: What is at stake?. (<https://www.ifpri.org/blog/russia-ukraine-grain-agreement-what-stake> [last accessed: 12/09/2022]).
- Joshi, M. and Wallensteen, P. (eds.), 2018. *Understanding quality peace: Peacebuilding after civil war*. London/New York: Routledge.
- Kamatsiko, V.V., 2017. Civil society organisations, Africa's Great Lakes Region conflict, and attempts at regional peacebuilding. *Journal of Civil Society*, 13(1), pp. 54-70.
- Katchanovski, I., 2016. The separatist war in Donbas: a violent break-up of Ukraine?. *European Politics and Society*, 17(4), pp. 473-489.
- Kaye, D.D., 1997. Madrid's forgotten forum: The Middle East multilaterals. *Washington Quarterly*, 20(1), pp. 167-186.
- Lanz, D., Wählisch, M., Kirchhoff, L. and Siegfried, M., 2008. Evaluating peace mediation. IFP Mediation Cluster (available at: <https://www.oecd.org/derec/ec/Swiss%20Peace%20-%20evaluating%20peace%20negotiations.pdf> [last accessed: 11/06/2022]).

- Mason, S.J. and Siegfried, M., 2007. Mediation & Facilitation in today's peace processes: Centrality of commitment, coordination and context. (available at: [https://www.swisspeace.ch/fileadmin/user\\_upload/Media/Topics/Mediation/Resources/Publications/English\\_Mason\\_Simon\\_A.\\_et\\_Siegfried\\_Matthias\\_Mediation\\_et\\_facilitation\\_dans\\_les\\_processus\\_de\\_paix\\_actuels.pdf](https://www.swisspeace.ch/fileadmin/user_upload/Media/Topics/Mediation/Resources/Publications/English_Mason_Simon_A._et_Siegfried_Matthias_Mediation_et_facilitation_dans_les_processus_de_paix_actuels.pdf) [last accessed: 11/07/2022]).
- Mason, S.J. and Siegfried, M., 2013. Confidence building measures (CBMs) in peace processes. *Managing Peace Processes: Process related questions. A handbook for AU practitioners*, 1, pp. 57-77.
- McClintock, E. and Nahimana, T., 2008. Managing the tension between inclusionary and exclusionary processes: Building peace in Burundi. *International Negotiation*, 13(1), pp. 73-91.
- Moeckli, D. and Reimann, N., 2020. Independence referendums in international law. Research handbook on secession. (available at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3582119](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3582119) [last accessed: 03/07/2022]).
- National Public Radio (NPR), 2022. Russia and Ukraine renew a grain export deal to help the hungry and keep prices down. (available at: <https://www.npr.org/2022/11/17/1137336565/the-u-n-says-russia-agrees-to-extend-ukrainian-grain-exports> [last accessed: 18/11/2022]).
- New Scientist, 2022. Priceless samples from Ukraine's seed bank destroyed in bomb attack. (available at: <https://www.newscientist.com/article/2321008-priceless-samples-from-ukraines-seed-bank-destroyed-in-bomb-attack/> [last accessed: 03/07/2022]).
- New York Times, 2022. Thousands of civilians death and 6.6 million refugees: Calculating the costs of war. (available at: <https://www.nytimes.com/2022/08/24/world/europe/russia-ukraine-war-toll.html#:~:text=Ukrainian%20civilians%20have%20paid%20a,Russians%20said%20to%20be%20killed> [last accessed: 22/09/2022]).
- New York Times, 2022a. Maps: Tracking the Russian invasion of Ukraine. (<https://www.nytimes.com/interactive/2022/world/europe/ukraine-maps.html#:~:text=Ukraine's%20military%20has%20had%20significant,it%20illegally%20annexed%20in%202014> [last accessed: 18/11/2022]).
- Nilsson, M., 2018. Civil society actors in peace negotiations in Central America. *Journal of Civil Society*, pp. 1-18.



- Office of the UN High Commissioner for Human Rights (OHCHR), 2022. Ukraine: Civilian casualty update 14 November 2022. (available at: [https://www.ohchr.org/en/news/2022/11/ukraine-civilian-casualty-update-14-november-2022#:~:text=From%201%20to%2013%20November,is%20yet%20unknown\)%3B%20and](https://www.ohchr.org/en/news/2022/11/ukraine-civilian-casualty-update-14-november-2022#:~:text=From%201%20to%2013%20November,is%20yet%20unknown)%3B%20and) [last accessed: 18/11/2022]).
- Paffenholz, T., 2001. Western approaches to negotiation and mediation: An overview. In: Reychler, L. and Paffenholz, T. (eds.). *Peacebuilding: A field guide*. Boulder CO: Lynne Rienner, pp. 75-80.
- Paffenholz, T., 2014. Civil society and peace negotiations: Beyond the inclusion-exclusion dichotomy. *Negotiation Journal*, pp. 69-91.
- Paffenholz, T., Zachariassen, A. and Helfer, C., 2017. What makes or breaks national dialogues?. *Inclusive Peace & Transition Initiative, Graduate Institute of International and Development Studies*.
- Pettersson, T., Davies, S., Deniz, A., Engström, G., Hawach, N., Höglbladh, S. and Öberg, M.S.M., 2021. Organized violence 1989–2020, with a special emphasis on Syria. *Journal of Peace Research*, 58(4), pp. 809-825.
- Pillar, P.R., 2014 [1983]. *Negotiating peace. War termination as a bargaining process*. Princeton (N.J.): Princeton University Press.
- Pruitt, D., 2008. Back-channel communication in the settlement of conflict. *International Negotiation*, 13(1), pp. 37-54.
- Ramsbotham, A. and Wennmann, A., 2014. Legitimacy in peace processes. In: Ramsbotham, A. and Wennmann A. (eds.). *Legitimacy in peace processes: from coercion to consent*. Accord 25, Conciliation Resources, pp. 6-11 (available at: <https://peacemaker.un.org/sites/peacemaker.un.org/files/Accord25-ConciliationResources-2014.pdf> [last accessed: 18/11/2022]).
- Rettberg, A., 2003. Is peace your business? The private sector and peace talks in Colombia. *Iberoamericana*, 3(11), pp. 196-201.
- Reuters, 2022. Ukraine's giant seed bank at risk of being lost as war rages. (available at: <https://www.reuters.com/world/europe/ukraines-giant-seed-bank-risk-being-lost-war-rages-2022-05-31/> [last accessed: 03/07/2022]).
- Reuters, 2022a. Explainer: Why Russia drives European and British gas prices. (available at: <https://www.reuters.com/business/energy/why-russia-drives-european-gas-prices-2022-01-21/> [last accessed: 03/07/2022]).

- Reuters, 2022b. Strong rouble, lack of vessels to hamper start of new export season for Russian wheat. (available at: <https://www.reuters.com/article/russia-wheat-exports-idUSKBN2O30VS> [last accessed: 11/07/2022]).
- Ross, N. and Schomerus, M., 2020. Donor support to peace processes: A lessons for peace literature review. *ODI Working Paper*, 571.
- Ryckman, K.C. and Braithwaite, J.M., 2020. Changing horses in midstream: Leadership changes and the civil war peace process. *Conflict Management and Peace Science*, 37(1), pp. 83-105.
- Sidibé, D., 2020. Negotiating peace agreements in internal conflicts: What perspectives?. *Négociations*, 33(1), pp. 41-56.
- Smith, B., 2020. Eastern Ukraine – Dashed Hopes?, House of Commons Library Briefing Paper, CBP 8949 (available at: <https://researchbriefings.files.parliament.uk/documents/CBP-8949/CBP-8949.pdf> [last accessed: 18/11/2022]).
- Solingen, E., 2000. The multilateral Arab-Israeli negotiations: Genesis, institutionalisation, pause, future. *Journal of Peace Research*, 37(2), pp. 167-187.
- Sticher, V. and Vuković, S., 2021. Bargaining in intrastate conflicts: The shifting role of ceasefires. *Journal of Peace Research*, 58(6), pp. 1284-1299.
- Swisspeace, 2021. Five years of the peace agreement in Colombia - challenges for Switzerland and civil society. (available at: <https://www.swisspeace.ch/apropos/five-years-of-the-peace-agreement-in-colombia-challenges-for-switzerland-and-civil-society/> [last accessed: 03/07/2022]).
- TAZ, 2022. 'Wir lehnen Waffen als Lösung ab.' (available at: <https://taz.de/Greenpeace-Chef-zum-Krieg-in-der-Ukraine!/5842338/> [last accessed: 22/09/2022]).
- United Nations, 2022. Resolution Adopted by the General Assembly on 2 March 2022. (available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/293/36/PDF/N2229336.pdf?OpenElement> [last accessed: 18/11/2022]).
- United Nations, 2022a. General Assembly Resolution Demands End to Russian Offensive in Ukraine (available at: <https://news.un.org/en/story/2022/03/1113152> [last accessed: 18/11/2022]).
- United Nations, 2022b. Global impact of the war in Ukraine. Brief no. 2. (available at: [https://news.un.org/pages/wp-content/uploads/2022/06/GCRG\\_2nd-Brief\\_Jun8\\_2022\\_FINAL.pdf](https://news.un.org/pages/wp-content/uploads/2022/06/GCRG_2nd-Brief_Jun8_2022_FINAL.pdf) [last accessed: 11/07/2022]).

- United Nations, 2022c. Resolution adopted by General Assembly on 24 March 2022. (available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/301/67/PDF/N2230167.pdf?OpenElement> [last accessed: 18/11/2022]).
- United Nations High Commissioner for Refugees (UNHCR), 2022. Internally Displaced Persons (IDP). (available at: <https://www.unhcr.org/ua/en/internally-displaced-persons> [last accessed: 18/11/2022]).
- United Nations High Commissioner for Refugees (UNHCR), 2022a. Operational Data Portal. (available at: <https://data.unhcr.org/en/situations/ukraine> [last accessed: 18/11/2022]).
- Vasquez, J.A., 1995. Why do neighbors fight? Proximity, interaction, or territoriality. *Journal of Peace Research*, 32(3), pp. 277-293.
- Waage, H.H., 2005. Norway's role in the Middle East peace talks: Between a strong state and a weak belligerent. *Journal of Palestine Studies*, 34(4), pp. 6-24.
- Wallensteen, P. and Eriksson, M., 2009. Negotiating Peace: Lessons from three comprehensive peace agreements. Mediation Support Unit, Department of Political Affairs, United Nations/Department of Peace and Conflict Research, Uppsala University.
- Wallensteen, P., 2015. Quality peace: Peacebuilding, victory and world order. Oxford: Oxford University Press.
- Weisiger, A., 2013. Logics of war: Explanations for limited and unlimited conflicts. London: Cornell University Press.
- Welsh, H.A., 1994. Political transition processes in Central and Eastern Europe. *Comparative Politics*, 26(4), pp. 379-394.
- Zacher, M., 2001. The territorial integrity norm: International boundaries and the use of force. *International Organization*, 55(2), pp. 215-250.
- Zartman, I.W., 2000. Ripeness: The hurting stalemate and beyond. *International conflict resolution after the Cold War*, 2, pp. 225-250.