



NATIONAL DIALOGUE

Lessons Learned

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National Dialogue: Lessons Learned

1. Introduction

National dialogue, albeit relatively a recent phenomenon, comes when a certain country wants to break away with its turbulent past. It is a special process where countries employ it to reckon with the repressive past, which made state institutions and conventional dispute management tools incapable to address the problem.

Although the wider triggering factors varies from country to country depending on the local context, the breakdown of socialism in Eastern European countries, the demand to respond to the growing discontent of the public (elites) through constitutional reform and participatory governance in Latin America and African countries in the 1990s and the need to transform governance during the Arab Spring glorified the importance of national dialogue (hereinafter, ND). In all these cases, the reform has affected developing countries that have failed to respond to the early signs of change, governance restructuring, and strengthening their weak democratic institutions. As a result, the contemporary and post-cold war phenomena have accentuated the significance of ND in third-world countries plagued by cycles of conflict and political tensions. Furthermore, its importance and role have grown in the past three decades, especially in countries with political transitions (Siebert, 2014, 41).

NDs have common features in resolving wide-reaching conflict (apparent or actual), fostering constitutional change or facilitating political transformation. Often, the formal ND is born out of civil war (e.g., Cameroon, Guatemala, Colombia), popular uprising or resistance (e.g. Sudan, Yemen, Mali) or multi-party agreement (e.g. South Africa, Kenya) to fundamentally transform the socio-political landscape of a country (Siebert, 2014, 42). While in others, the change process has emerged as an informal discussion initiated by civic societies, the international community or political organisations which have later assumed the characteristics of ND in purpose, procedure and outcome.

ND has been undertaken in many countries under different names and mandates and the name ND appears only in a few jurisdictions. ND does not have predefined formula and procedure and countries have determined the process based on their context. Perhaps, the absence of agreed minimum requirements for a certain process to be called a ND made some encompass all forms of dialogue that involve elites and are believed to represent the interests of the public at large within the definition of ND. Accordingly, they argue that discussions, negotiations, or even public

conferences attended by only political decision-makers and elites should not be considered ND. This makes representation the single most important element of dialogue. However, apart from public participation and aiming at transformative changes, ND manifests unique structures and procedures that other conflict management and political transformation mechanisms are not accustomed to.

In the absence of agreed standards, dialogue structure, institutional framework, the role of facilitator, decision-making procedure, participation etc. and a perfect model, the process is uniquely designed for each of these dialogues based on the basic principles of consensus formation and the country's context. Most scholars agree that the best processes are those designed by national stakeholders themselves (Siebert, 2014, 44). This concept of local ownership of the process, control of the outcome and design of the process by participating stakeholders are very crucial for nurturing the capacity and wisdom to sustain the outcomes of the ND. Yet again, the flexibility and adaptability of a ND process have made it a recipe for most transitioning and conflict-prone countries.

With the aim of laying down the foundation for Ethiopia, this comparative study aims to describe and analyse the core processes involved, challenges faced, and lessons learned in the NDs that have occurred in other countries. The research has not attempted to suggest a certain way of structuring and designing the Ethiopian ND but tries to elucidate the principles and approaches that could be followed in doing so. It covers the whole process of the ND – from defining what it is to the issue of implementation.

Methodologically, the research is principally a comparative study where jurisdictions that have undertaken ND before were explored using secondary materials. In the process, the establishing instruments of the NDs, working procedures crafted by the ND and reports prepared by the ND are referred. Jurisdictions are chosen on merit base and parameters such as availability of credible resources, similarity with Ethiopian context, availability of lessons and completion of the process are taken. Furthermore, factors like presence of active conflict, functioning government structure, contested historical narrations and prejudices, and multi-ethnic society are considered. However, not all NDs have lessons to offer and none of these could be taken as a perfect process. Thus, instead of subscribing to a limited number of NDs and following it through to the end, the research consults a typical jurisdiction whenever necessary. However, NDs that occurred in African countries have been preferred over those that occurred in Arab and Latin American countries.

Unfortunately, most of the NDs explored were conducted in recent times and their implementation has not been completed. Thus, literature is scant on documenting experiences of implementation

success apart from revealing the challenges they have faced. Furthermore, critical academic works on ND are only appearing recently and the literature is dominated by institutional reports and reflections.

2. Concept

2.1. Definition

ND as conflict management or political transformation tool is only a recent phenomenon with no one single name used or agreed-upon definition. Thus, processes that are known by different names such as national conference, peace conference, national negotiation etc and have manifested certain similar characteristics and objectives are given the generic name ND.

Blunch et al's National Dialogue Handbook (2017, 21) describes NDs as 'nationally-owned political processes aimed at generating consensus among a broad range of national stakeholders in times of deep political crisis, in post-war situations or during far-reaching political transitions.' Thus, ND is a self-organized political process that involves the participation of major political decision-makers as well as the public at large with no to little involvement of foreign actors (Saeid, 2017, 12). It serves both for preventing bigger political fallout and crises as well as for resolving deep socio-political rifts and civil war in a country. It is often used to manage a fundamental and transformational system change in governance and rule of governance, redefine state-society relations, or establish a new social contract (Blunch et al, 2017, 22). When existing institutions and systems are delegitimised or lost credibility to transform conflict or bring change, ND responds to 'crises of national importance that have repercussions for the whole of society' (Blunch et al, 2017, 21).

A ND is an unusual and extra-constitutional process. Accordingly, it is argued that ND is required only when fundamental changes are required in the political or social contract of the society, but existing governance systems were part of the problem or were handicapped by the existing legal and political structures to bring the required change. Thus, ND comes when other existing less costly and less time-consuming dispute settlement mechanisms and formal institutions are unable to bring the required peace and stability to the country. Barnes claimed that '[i]n any society where normal political processes and governance institutions are unable to channel conflict over the fundamental principles and structures on which the state is based, ND offers a potential process to generate a new understanding of state-society relations' (Barnes, 2017, 1).

NDs are found to be essential in de-escalating tensions and guiding a transformation and a new form of social contract with the government. The NDs that have taken place in the francophone African countries in the 1990s and the Arab Spring in North Africa and Middle East countries are examples where popular uprising forced out governments and NDs rescued state failures. In South Africa, the struggle against Apartheid continued for decades and later escalated into armed conflict. Yet the white minority government was not prepared to make concessions that would require it to make a fundamental change in the political system. As the conflict escalates, more people join the uprising and the global economic and political embargo continued to isolate the nation from global forums, the government had no choice but to discuss the future of the nation with its opponents. It started as a negotiation amongst the political decision-making institutions and elites but later descended into large-scale public discussion on different reform agendas including the reconciliation process.

Papagianni (2014, 1) reiterates that 'NDs are negotiating mechanisms intended to expand participation in political transitions beyond the political and military elites. Their ambition is to move away from elite-level deal-making by allowing diverse interests to influence the transitional negotiations.' In a ND, the language used, procedures adopted, and agendas selected are very much inclusive which allows the public to contribute to both to the process and outcome. It is often designed at a non-technical level where the language used is that of the ordinary people with less technical procedural regulation, at least at the lower level. However, final outcomes or recommendations are collected, rephrased, and consolidated for final discussion at a higher level of reflection by political decision-makers and elites.

NDs are also 'consensual decision-making arenas that put dialogue and trust-building at the centre of the process' (Blunch et al, 2017, 29). It pays greater attention to the process and exchange of ideas and understanding of each other than the tangible outcome. Yet the outcome is equally important, and it is inconceivable to imagine a ND without an agreed consensus. The deliberation on the agenda, which was agreed upon and picked by the participants, is believed to enhance understanding between diverse groups, which in turn will help to comprehend the grievances or injustices that occurred in different societies. Within the limits of the agenda, ND is a forum where grievances could be aired, facts revealed and refuted to foster arriving at a consensus through deliberation and negotiation. Joenniemi (2014, 25) reiterates that 'dialogues are important, among other reasons, because of their inclusive character and in aiming at confidence and relationship-building at different levels of society.'

ND has recently emerged as a protection against the growing interference of foreign powers in the political and security landscape of conflict-prone countries. Most importantly, when conflicting or contending parties (political decision-makers and participants) are concerned about the possible interference of foreign actors in national matters, ND offers a viable alternative to discussing the transformation. Accordingly, unlike a third-party moderated mediation, facilitation or discussion, ND offers protection from the meddling of third parties in the conflict handling process.

However, not all NDs are initiated or fully controlled by local institutions. Thus, foreign interference or assistance might be manifested somewhere in the process, but these elements should be restricted to providing logistic, technical, financial and expert support, or only at the beginning of a far antagonised local actors. The interference should not go to the extent of compromising the local ownership of the process. For instance, the Gulf Cooperation Council (GCC) mediated the peace accord that gave rise to the ND in Yemen (2013) (Elayah et al, 2017, 100). The initiative was vital to break the deadlock and convince conflicting parties - the government and other political groups to agree to a two-year transition period under the leadership of the then Vice President. The GCC along with the UN, the EU and others were able to initiate the peace process through their technical, financial, and diplomatic support although local actors owned the process. In South Africa, without the diplomatic pressure and economic embargo put up by the international community, the apartheid government would not have released black political leaders and engaged with them for an inclusive political transformation. To the extreme, although some did not recognise it as a ND but as mediation, the Kenyan ND and Reconciliation (2008) process was initiated and convened by the AU appointed foreign mediators. It was believed that the post-election crisis witnessed in Kenya could be resolved by bilateral dialogue between the two contesting political elements. However, the parties have named the whole process as ND, and apart from 'principal parties', mediators were able to engage the highly organised civil society and women groups on matters pertinent to the community (Barnes, 2017, 17 & 27).

2.2. Characteristics

Another way of understanding ND is by explaining its salient features, comparing it with other conflict management or political transformation tools and describing the processes. The discussion below describes some of the characteristics that make ND a unique, flexible and adaptable process.

(a) Dialogue distinguished from mediation and negotiation

There are other types of conflict management tools that share certain similar elements with ND and crossbreeds during the process. Negotiation, for instance, involves an extensive discussion between two or more parties with the view of compromising their interests without the interference of any third parties. It is, however, secretive, and the outcomes and processes are disclosed only after completing the process. On the other hand, mediation is a third-party assisted discussion between two or more parties to create mutual understanding and resolve their differences.

Whereas ND involves a larger group of participants beyond the principal political actors to discuss much-extended topics relevant to the nation. The process during ND creates the necessary space and forum for open discussion and public scrutiny of the process. Barnes (2017, 8) argued that 'ND can create comparatively open spaces where key people from diverse groupings are able to foster relationships across conflict divides, develop strategies to address grievances, and generate a sense of shared agency and responsibility for making the needed changes.' Unlike the conventional ways of dispute settlement mechanisms, flexible mechanisms like ND are proven to be fruitful to deescalate tensions during 'unconventional' wars and conflicts (Joenniemi, 2014, 31). Thus, ND operates in the absence of apparent conflict to aid political transformation and settle complex political deadlocks by engaging stakeholders to redesign the future system.

ND is a prolonged process that involves different forms of side consultations, bilateral discussions amongst parties to the dialogue, and deadlock breaking mediation type facilitations (Blunch et al, 2017, 27). Within the framework of a ND, different layers and tracks of consultations happen. These included a high-level discussion involving leaders of political groups, armed insurgents, nationalists, and government representatives; a middle-level discussion with political elites, academicians, civic society leaders etc; and grassroots discussion with representatives of the community. The flexibility and adaptability of ND allow the use of different modalities and techniques to target each group but still within the frameworks of ND (Blunch et al, 2017, 28). Such is crucial to break the deadlock, create further understanding among participants, identify consensus points, create grouping among like minds, ensure participation of larger groups, speed up the process and create enabling environment for different interest groups. Throughout these stages and processes, a mix of negotiation, mediation, consultation and discussion techniques are employed depending on the topic and types of participants.

(b) It is a process and not an end by itself

ND requires long term investment in the actors and looking after the implementation of the outcome. A short-term gesture shown by conflicting parties such as the success of diffusing conflict, lying down arms, willingness to talk or readiness to compromise should not be considered as the goal of a ND but a necessary precondition to trigger the process. These are only signs that parties are ready to trust each other and give dialogue a chance but the confidence and relationship have yet to be built in the process. Similarly, the signing of a consensus or even the first post-dialogue peaceful election is not an end. As will be discussed in the forthcoming sections, ND has three stages - preparation, process/negotiation, and implementation - where tedious and long technical, managerial and political considerations are at play. The long-term shared visions of the parties to the dialogue should be nurtured throughout the process to the extent of assigning individual responsibilities and creating a monitoring system to evaluate the level of implementation.

ND is not a silver bullet to all national problems. It is also wrong to think that every dialogue leads to consensus and relation-building as it could lead to a possible discontent and escalation of distrust when a prolonged dialogue failed to deliver implementable recommendation, or the government use it to consolidate its grip on power. Repressive governments that have lost legitimacy have misused NDs to buy time, appease international support or delay change (Stigant & Murray, 2015). Equally, as we would explore further below, dialogue is also prone to be exploited by the elites who use their technical abilities to infiltrate the process and decision-making powers to lobby for their agenda. Thus, dialogue does not offer an easy and expeditious way out of conflict, and it is important to consider it as a continuous process that might takes years to achieve the desired objectives. It goes beyond the actual face-to-face dialogue that occurred amongst the participants and into the nurturing of trust, and confidence, redressing prejudices and healing of wounds.

(c) Very participatory and devoid of elite decision making

Despite the active role of elite decision-makers both from the government and from other parties, local ownership of the process remains vital. Local ownership refers to the active engagement and control of the process by local government, communities and civil societies operating in the area. The manifestation of local ownership includes influencing the determination of the agenda, process, participants, duration, convener, and final recommendations. Yet local communities need to be assisted through awareness-raising campaigns to be able to understand the nature of the process and resist elite capture and sabotage. This, however, does not necessarily mean direct participation

by all local communities in the dialogue but appropriate consultation of their representatives and consultation forums on key matters that affect the communities' interests.

It is also expected that the ruling elites might try to restrict or limit the agenda to a few points while the opposition groups push for a fundamental change in governance and political landscape. Social groups such as communities, civil societies, professional associations, and experts should employ objective criteria to support a comprehensive dialogue and discussion on local matters.

(d) Trust building and reconciliation

Unlike other dispute settlement mechanisms, 'dialogues are not only to resolve conflicts but more importantly to heal wounds, reconcile groups, build confidence and trust in institutions and people towards social cohesion and national development' (Odigie, 2017, 22). ND involves the building or rebuilding of trust between parties alienated by conflict or stakeholders of the process (Govier & Verwoerd, 2002). Conflict arises when trust among the opposing groups deteriorates which has alienated them and disrupted the communication platform between them. Thus, one of the major goals of ND should be rebuilding the lost trust so that a viable relationship based on mutual understanding could be instilled. Rebuilding trust involves the process of eliminating the distrust and suspicion that one will be attacked or marginalised by the other group (Govier and Verwoerd, 2002, 195).

In the ND process, the public is allowed to share its views of the agenda including past grievances as well as recommendations for peaceful and prosperous coexistence. As most say, speaking out about grievances and public acceptance of the same are the early stage of reconciliation and building trust among each other. In some countries like South Africa, the ND was followed by a more formal reconciliation and forgiveness process that involves acknowledging past fault, compensating victims and forgiveness (Lerche, 2000). ND process 'enables parties to acknowledge historical harms, paving the way for restorative and redistributive justice and reconciliation, and creating the basis for a new and more inclusive national discourse' (Barnes, 2017, 8). Thus, the ND may not be enough to heal the wounds and redress historical injustices but would pave the way for a more formal and structured reconciliation process to begin. In the absence of building trust among each other through open discussions, restorative and redistributive justice would be difficult to realise. There should not be, however, blanket impunity for the sake of political compromise. Any wrongdoer should pass through necessary scrutiny such as proving that it was acted on political or higher order before the pardon such as in South Africa (Wilson, 2003).

(e) Different forms of national dialogue

ND assumes different forms and structures depending on the context, nature of conflict and mandates given to it. Depending on the level of engagement and role of outsiders, four types of dialogues are identified: (i) high-level or summit dialogues involving the leadership of contending parties to resolve the national political crisis, often initiated by the international community with minimal participation of the public (e.g. Kenya); (ii) track two interventions by civil society organisations that provide a discreet and relatively informal process for parties to find common ground and build trust; (iii) political dialogues implicit in development planning, state-building and peacebuilding; and (iv) multi-level dialogues that involved broader community groups in the dialogue to build a national consensus on critical challenges (Odendaal, 2011; Elayah et al, 2020).

It is often the fourth form of the ND that some call a ND but each of these processes has the elements of a ND. Although the latter allows the community to surface numerous issues, it requires significantly organised institutions and resources to integrate the local and ND and avoid horizontal polarisation. For instance, although the 2013-14 ND in Yemen was praised for its inclusivity and mobilising grassroots societies to deliberate on their shared future, the dialogue brought more than 1800 recommendations with no clear direction and consensus on the implementation modalities. Furthermore, the absence of trust, clear and shared vision, balance of power and weak implementation plan forced the civil war to interrupt the dialogue (Elayah et al, 2020, 114).

Thus, less formal dialogue, such as the track-two dialogue, offer the informal and off-the-record type of dialogue among participants to break the deadlock and bring in subtle/assumed position that will not be disclosed informal dialogues (Joenniemi, 2014, 27). It also opens the chance for a closer understanding of each other's position and interests and builds the necessary trust and confidence in each other. This might also be used as an additional channel of communication to support the formal dialogue by bringing some actors of the formal dialogue together, which will allow close discussion with antagonistic parties.

If used carefully, the virtues of ND such as flexibility and adaptability are vital for containing parties by changing the structure of the dialogue depending on the context, power balance and parties' positions. However, the success of a ND is not only determined by the process and nature of participants alone (internal) but by external factors that may impede or foster the dialogue. Below is a discussion of key principles and requirements for a successful ND.

Conclusion

As a dispute management tool, national dialogue is a recent phenomenon with no universally agreed definition and nomenclature. It is a tool defined, named, and used consonant with the local context. Besides other things, however, a national dialogue should be inclusive and participatory, aims to bring national consensus or reconciliation and operate with little to no foreign involvement. These illustrative definitional elements of a national dialogue make it an unordinary process. In a nutshell, the nature of the subject matter under discussion, the extent of participants in the process, triggering factors, and the resource it needs make a national dialogue a special process.

Exceptional situations that seriously affect the nation as a whole and require transformational change and could not be handled with ordinary approaches trigger a national dialogue process. Major issues that have national importance and challenge the sustainability of the nation such as constitutional reform, settling armed conflicts, changing state structure, transforming institutions etc. are the subject matters of a ND. To recap, as the existing governance systems were part of the problem or were handicapped by the existing legal and political structures, ND is important when fundamental changes are required in the political or social contract of the society. It is, therefore, an unusual and extra-constitutional process.

Besides the presence of many participants in the process including greater involvement of the public and non-political actors, as there are many serious issues, national dialogue is not an overnight process. It needs huge resources including time for discussion and negotiations. In a national dialogue process, there is no single winner party but a consensus building where the nation wins. To this end, while a national dialogue requires a continuous trust building measures from all the participants, the governments has more responsibility.

Looking into its nature, one can depict national dialogue as a delicate key that opens the door for transforming state structure and possibly for a new social contract. However, it is worth to mention that national dialogue is a framework process that involves discussions, consultation, negotiations, and sometimes mediations at different level and with various actors. Hence, it is more than a single process. Owing to this, national dialogue is not equivalent to mediation, negotiation, or any other conventional dispute resolution mechanisms. It is broader and more intricate and delicate process than mediation, negotiation, or any other mechanisms including religious dispute resolution mechanisms.

The other lesson that is drawn is that national dialogue is not an end but a means. The widely accepted end goal of a national dialogue is consensus or reconciliations amongst the different interest groups. To this end, the process should be managed properly. In short, holding a national dialogue would be a great leap forward only when it is warily used. However, if it is used to launder the hidden agenda of different groups, it would have a serious crippling effect.

3. Principles – Factors that Determine the Success and Failure of National Dialogues

As there are many interest groups in a ND, the process is very delicate. As delicate as it may be, many factors may contribute to the success and failure of a ND process. However, listing and discussing all of these factors is not feasible. This is mainly so because the factors are contingent on the existing and past realities of each country. Simply put, the factors that lead to the ND do also play their part in the determination of the factors. The discussion in this part, therefore, is not an exhaustive list of contributing factors for the success and failure of a certain ND but an illustrative list. In other words, the main purpose of this part discussion is to discuss some of the factors that influence the process of ND either positively or adversely so that lessons can be drawn for the Ethiopian case.

The factors may generally be categorized into the following groups: political context factors, the design or process factors, and those related to the implementation.

3.1. The Political Context Factors

The political context of the country is the first factor that influences the success of a ND (Haider, 2019, 2; Paffenholz et al, 2017, 53). The political context is a generic expression that has many elements in it. Hence, when it is dissected, a political context should be evaluated from the following perspectives:

(a) Political will

This is mainly about the presence or otherwise of an agreement amongst elites to settle the contention in a ND (Haider, 2019, 2 & 5). The interest groups in a ND may have different triggering reasons to join a ND process. The possible reasons could be the consolidation of power, use of the ND process as a means to buy time while still aiming to achieve a military victory against the opponent, or suspects of criminal activity may see the ND as a golden chance to secure amnesty. In this case, there is no true commitment to a peaceful outcome. Therefore, as much as possible, for a ND process to be successful, it is necessary to scrutinize the true intention of the interest groups who join the ND. If they are engaging in the process because they truly want peace, there is a high

probability for the ND process to be successful. Generally, the support of the national elites is imperative because they have a disproportionate amount of political, social, and economic power compared to the rest of the society (Paffenholz et al, 2017, 53). In this regard, Egypt can be taken as an example. In Egypt, after President Husni Mubarak resigned on 25 January 2011, the Supreme Council of the Armed Forces (SCAF) took power, dissolved the Parliament, and organized a ND, which was held from April to May 2011 (Paffenholz et al, 2017, 54). However, there was resistance from the elites to the initiation of the ND. As a result, coupled with other possible reasons, Egypt's Dialogue never reached an agreement (Paffenholz et al, 2017, 54).

The other possible aspect from which political context can be seen is the presence or absence of diametrically opposed political camps (Haider, 2019, 2). Transliterated, for a ND to be fruitful, the parties in the dialogue need to have a shared objective. If there is no shared objective in the process, it is less likely for the process to be successful. For example, in Venezuela, although there has been some consensus on economic issues, the Chavistas and the opposition group held entirely opposed positions on the state of Venezuelan democracy, which undermined the ability to compromise or explore areas of convergence (Ellner, 2017, 39). In the same fashion, in Mali, there were differing views on development priorities between government and civil society, making it difficult to settle on what issues should be discussed in the ND (Haider, 2019, 6).

(b) Public support for the process

If the ND process has the support of the public, there is a higher chance for it to be successful (Haider, 2019, 2; Paffenholz et al, 2017, 57). As the support needs to be informed, the support, however, depends on different factors. The availability of public information, good communication, and media engagement are among the factors that have implications on the public support for the ND (Haider, 2019, 2). The argument is that if the necessary information is released to the public at the appropriate time, the public will have an informed judgment and support for the process. Moreover, this work should be continuous so that the public will be aware of the progress made via different communication means. When this is the case, the process will have the necessary public support and then legitimacy. For example, in Benin, public support was boosted using Radio broadcasts of the ND, published images of the sessions in print media, and the availability of videotapes of the debates (Haider, 2019, 6). The same approach of broadcast coverage of the ND was done in Somalia and Togo (Paffenholz et al, 2017, 58). This measure enhances transparency, allowed local populations, including rural populations, to remain informed about key developments in the process, and

increased the perceived legitimacy of the dialogue (Haider, 2019, 6). In contrast, if the public is unaware of the key issues and developments of the ND, it will neither be able to provide input, promote the process, nor feel a sense of ownership. This was one of the problems in Iraq. In Iraq, besides the minimal media attention given to the process, there was no sound public information campaign or public debate. Moreover, in Iraq, the agenda for the ND was set in a very short time, only days before the event. Because of this, it was not favourable to share enough information with the public then, in turn, stalled any meaningful participation by opposition groups and civil society (Haider, 2019, 7). Finally, it is worthy to mention that the Media should provide a balanced and neutral reporting about the ND process and contribute to trust building in the process.

(c) Integration of the ND process with other transitional justice mechanisms

For the ND process to be successful so that it would not be counterproductive, it is advised that it should not be an isolated process rather it should be interconnected to other transitional justice process mechanisms. It is necessary to make its mandate, power, and functions consonant with other political processes (Haider, 2019, 5). For example, in Colombia, the peace process was combined with a constituent assembly that produced the country's 1991 constitution (Constitutionnet, 2022). Similarly, in South Africa, the political dialogues determined the constitutional framework and the process for the establishment of a constitution-making body and the holding of elections (Murray, 2017). The integration of the ND with other transitional justice mechanisms is pivotal because it avoids duplication of efforts and potential adverse outcomes.

(d) Balance between external actors and national ownership

For a ND to be successful, it needs numerous forms of support from various actors, internal and external. With the external actors, however, it is necessary to maintain balance. External actors refer to actors such as neighbouring countries, international support groups, or/and regional and international organizations (Haider, 2019, 8). Starting with the initiation to hold and implementation of the ND, there must be national ownership rather than an imposition from external actors (Haider, 2019, 9). These external actors, albeit they may not state it explicitly, may have an interest in the ND process (Paffenholz et al, 2017, 59). If the external actors feel their interest is not protected, they may create tension in different ways to undermine the process (Haider, 2019, 9). For example, in Yemen, there was concern that external actors mainly drove the dialogue process. The belief was that while the American was largely concerned with countering Al Qaeda, Saudi Arabia was focused on the distribution of power in Yemen (Haider, 2019, 9; Schmitz, 2014). This, arguably, made the

Yemeni alien in their dialogue process. It can be, however, argued that there could be occasions where the local population may want the process to be controlled by external actors. If there is a serious lack of trust in the local mediators, foreigners may be invited to play a significant role in the process.

(e) Existing culture of dialogue

The presence of a culture of dialogue in the country is another factor that plays a positive role in the success of a ND (Paffenholz et al, 2017, 61). For example, in Somaliland, eight clan elders took a mediating role in the Conference and contributed significantly toward successful consensus-building (Paffenholz et al, 2017, 61).

(f) Past experiences and prior agreements

If there are past experiences in peace building or a prior agreement to that effect, there is a high probability to have effective NDs (Paffenholz et al, 2017, 63). This is so because facilitators or mediators have a lived experience so that they learn from past experiences. This means they will repeat successful strategies and avoid failed ones (Paffenholz et al, 2017, 63).

3.2. The Design or Process Factors

The other general factor that has implications for the success of a ND is its design and the process. Accordingly, the following are factors that are related to the design and process of the ND and affect its success:

(a) Degree of inclusion and participation

A ND will have the required result only when it is meaningfully inclusive. The whole process of the ND should include all interested parties. Inclusivity relates to 'process inclusivity' (the level of societal and political representation) in the preparatory and actual dialogue phases), and to 'outcome inclusivity' (the level of inclusiveness created by the ND's outputs) in the post-ND/implementation phase. The inclusivity can be seen in the light of how it represents actors like the government, civil society, political parties, military, non-state armed actors, business, regional actors, and women's groups (Paffenholz et al, 2017, 64). To legitimize the process, it is also necessary to include those influential people who are not governed by party lines like well-known activists or members of social movements. The failure to participate in such persons may undermine the legitimacy of the process.

The issue of inclusivity can also be seen to the extent of whether displaced persons and the diaspora community are participated or not in the process.

However, inclusiveness should not be cost efficiency, which is mainly related to making the required decision at the appropriate time. Therefore, there is a need to make a balance between inclusiveness and decision-making. Stated differently, the success of NDs can depend in large part on finding the right equilibrium between efficiency and inclusiveness (Haider, 2019, 2). Needless to mention that in the case of inclusivity do care should be given to who is representing whom and how the representatives are selected. In this regard, there are no universally accepted objective criteria. What matters is it is necessary to take the necessary care to not let the selection criteria be manipulated by the elites. To this end, it is advisable to have pre-established selection criteria for representation (Haider, 2019, 3).

(b) Mandate and [agenda] setting

The issue of mandate setting is very sensitive and highly determines the success or otherwise of the ND process. To this end, it is advised that a ND mandate should emerge from a consensus among the main stakeholders who could potentially obstruct the process while making sure that all participants, even those on the peripheries, agree to the mandate (Blunck et al, 2017, 44&45). Similar to setting the mandate, the process of agreeing on the agenda should be inclusive and participatory. The exclusion of certain actors may undermine their buy-in and the perceived legitimacy of the ND (Blunck et al, 2017, 44&45). In setting the mandate and agenda, should not be overburdening. It is necessary to balance the extent of the mandate, efficiency, and independence (Haider, 2019, 3).

Finally, on the size of the participant in the ND, there is no standard or ideal size: they can be small (e.g. 12–55 participants in the Eastern and Central European roundtables), medium-sized, e.g. 565 participants in Yemen), or large, (e.g. 1,600 or more participants in Afghanistan’s Emergency Loya Jirga) (Blunck et al, 2017, 29). This tells that there is no one size fits all number when it comes to the participants of a ND. The appropriate size depends on the specific characteristics of the country in which the ND takes place and on the objective(s) of the dialogue. If the aim is limited to a single issue, only a few participants directly connected to the issue may be needed. Whereas, if the aim is to establish a new social contract, a larger number of participants representing a broader section of the society is necessary (Blunck et al, 2017, 29).

(c) Decision-making procedure

For the ND to be successful, there must be effective decision-making procedure (Haider, 2019, 3). For the decision-making process to be effective, besides others, it needs the support of elites (Paffenholz et al, 2017,67). It is, in fact, necessary to make an in advance precaution so that the decision-making procedure will not be hijacked by certain groups like elites. Whenever possible, as it would allow the inclusion of the concern of often-excluded non-dominant voices, decision-making should be based on consensus. However, since it is often not easy to make decisions in a consensus, consensus-based decision-making needs to be complemented by other pragmatic mechanisms where deadlocks can be broken, such as the use of working groups (Haider, 2019 3 and 20). It is worthy to note that failure to reach a decision benefit the more established forces, as the absence of movement can mean preserving the status quo.

(d) Confidence building measures

Trust is the other key factor that determines the success or failure of a ND. Therefore, continuous measures should be taken to attenuate tensions so that there can be a working trust in the dialogue process (Haider, 2019, 3). Trust-building is not a one-time work and is limited to one stage of the dialogue. It should be continuous and should exist in all phases of the dialogue process. In a ND process, it is important to make some concessions or arrangements, which highlight the goodwill of the various factions (Haider, 2019, 20).

(e) Support structures for the actors involved

The parties in the process need to be prepared for the ND to be successful. The presence of experts to advise the different subcommittees in the process can play a positive role (Paffenholz et al, 2017,72). However, this external support does not guarantee the signature of an agreement or its implementation (Paffenholz et al, 2017,72).

3.3. Implementation

A ND is not a single-phase process. The two most important stages where success can be tested are reaching an agreement and the extent of the implementation of the agreement (Paffenholz et al, 2017,55). Of these two, reaching an agreement is not the most difficult stage but its implementation (Paffenholz et al, 2017,55). To facilitate implementation, it is necessary to ensure that sufficient funds for implementation, expertise and accountability mechanisms are in place (Haider, 2019, 22). In

addition, implementation can be challenged if the agreements are unrealistic. Moreover, there must be a political will to implement the ND agreements.

Conclusion

The success and failure of a ND is contingent on different factors. According to reviewed literature, the factors can be categorized into groups. The first factor is the political context wherein the national dialogue operates. Within the ambit of political context, there is political will (the elites' commitment to settle differences around a round table than a barrel of a gun), public buy-in, and domestic ownership of the process (it is necessary to have informed support of the public and seriously regulate the role of foreign actors), symbiosis with other transitional justice mechanisms (the positive and working nexus with other mechanisms that keep the process on track and avoid potential conflict), existing culture of dialogue (effectively using traditional religious and cultural dispute regulation mechanism in the process), past experience and prior agreement (drawing lesson from the past and taking due care to not repeat mistakes). In brief, when the different parties to the national dialogue have a commitment to settle their difference around a round table, the process is controlled locally and has the public support as well as uses all relevant cultural dispute resolution mechanisms while clearly defining its symbiosis with other transitional justice mechanism, there is high likely that the national dialogue process will bear fruit.

Secondly, the success or otherwise of the ND is contingent on factors related to what is called the design and process of the national dialogue. In relation to the design, the first thing that comes is its mandate. The mandate is the primary yardstick to measure the success of the ND. Therefore, it is necessary to put it in the most possible clear way. Most importantly, it is necessary to make the mandate measurable at the same time manageable. The mandate should not be a list of mere wishes. Once the mandate is set, the process should be inclusive, and participatory. To break the cycle of violence and build consensus, no one with a divergent opinion should be excluded from the discussion table. After all, ND is not a club of like-minded people. Moreover, there must be a chance for the participants to present and sell their idea as long as it is not contrary to the very purpose of the ND. Put differently, participation should not be symbolic.

The ND process should not be stagnant. There must be a clear procedure for decision-making, which should not be too complicated. Parties to the ND should also involve in confidence-building activities and avoid acts that erode the confidence of the parties in the dialogue. The government, in this part, has more responsibility. The government should not consider itself as a godfather of the ND process

but a party to the dialogue and must put itself on equal footing with other parties. Moreover, as a ruling party, it must abstain from acts that negatively affect the process like public statements against the parties, violating terms of a truce if any, etc. The other process factor is the presence or otherwise of a support structure. The ND process requires a multitude of support from various groups and experts. Therefore, it is necessary to address how support can be provided in the ND process.

Finally, it is worth to note that reaching on an agreement on the issues of the ND is great progress. As much as reaching an agreement is a step in the right direction but not the final solution, it will have practical effect when it is implemented. What a successful dialogue requires is respecting the terms of the agreement, which is implementation.

4. Mandate

4.1. Defining Mandate

The general objective and goal that the ND is required to achieve are referred to as mandates. The mandates of the ND are designed either in a pre-designed instrument or as part of the dialogue process. The preparation stage of the dialogue itself involves a mini dialogue or plenary where stakeholders will set the rules, create a conducive environment for dialogue and define the roles of parties to the dialogue. This is the earliest time that participants will encounter the mandate statement if it was pre-set by the government or by a prior agreement with parties to the dialogue or conflict. However, an imposed or unilateral fixation of mandates is problematic as the sceptics could withdraw early on or create scepticism about the political will of ruling elites (Blunch et al, 2017, 44). Thus, consultation with principal stakeholders regarding the mandate of the ND is important to understand the expectation and build trust (Harlander, 2016).

It is preferred that mandates be clearly set or reset at the preparation stage of the ND than evolving during the process which may risk the breakdown of the process. For instance, an attempt to transform the dialogue conference into a sovereign body backlashed in Togo where the president refused to accept the transformation and abolished the National Conference at all. In exceptional cases, the mandates of the ND could be redefined and explained during the dialogue. In the case of Benin (1990), the National Conference of Vital Forces of the Nation started as a consultative dialogue but later assumed sovereignty and deprived most of the power of the president which the president accepted (Paffenholz et al, 2017). The constitution drafted by the conference was later approved in a referendum and led to a general election in 1991. However, with all its consequences, the attempt

to redefine the mandate of a ND requires broader consultation and consensus among the principal actors and should not be taken lightly (Paffenholz et al, 2017, 31).

A ND is prone to be overloaded with extended agenda that the state or political decision-makers could resolve through other means. It drains energy, time and resources; attracts higher public expectations and attention resulting in neglect of other reforms that the government could make to facilitate the foundation for the dialogue (Gaston, 2014). It is true as well that governments might be afraid of making unilateral decisions to reform the governance landscape when that specific topic was the subject of the dialogue. This in turn creates a weaker state with less strategic decision making, loss of control on policy matters and even enforcement of laws. Equally, the government should be held to account for its inability to run the daily businesses of the government and neglect of vital services and reforms that lie beyond the scope of the dialogue. Thus, limiting the scope of the dialogue to a manageable level benefit both the ND and the reform.

There has always been the dilemma of crafting the mandate too broad to let the convention navigate its own way and reduce government influence in pre-empting the outcome, and keeping it narrow to minimise time and resources for a successful deliberation on the core issues. Experiences tell that those narrower mandates fall short of fostering discussions on a more fundamental and structural change and significantly limit the level of participation. For instance, although the dialogue in Tunisia with a narrower mandate was able to resolve the deadlock among political parties and brought stability to the country, it was short of introducing the structural change that the public was demanding at the beginning of the uprising (Haider, 2019, 16). Equally, too broad mandates in Libya brought in a lengthy discussion on mandates alone and a loss of focus on the substantive matters that it was meant to resolve.

Thus, it is important to maintain the balance between being too broad and too restrictive depending on the context, local expectation, and end in sight. ND benefits from a clear, precise and manageable mandate. Haider (2019, 16) also argues that it is always 'easier to mobilise the public and civil society around a dialogue process which has a clear, understandable, mandate and is expected to reach concrete outputs.' It is always advised to have the goal and purpose of the process insight in the determination of mandates and meet expectations at home that are being imposed by external actors. The caveat here is that overburdening the process with too many mandates will delay the outcome and force participants to lose interest and focus on the process.

4.2. General Scope

The mandates of NDs have been extremely diverse depending on the prevailing context and factors that gave rise to the process. It broadly includes ‘forming a new social contract, establishing transitional authorities, addressing past injustices and crimes, drafting a new constitution or addressing specific regional or thematic issue’ (Haider, 2019, 16). Kenya’s dialogue was limited to resolving the election controversy while in Yemen and South Africa, creating a new social contract and political institutions was crucial (Blunch et al, 2017, 47). Broadly Paffenholz et al (2017) found political reform; peace-making such as ending violence, armed conflict and easing tensions; and constitution-making as the dominant mandates of NDs occurred in 17 states.

Yet this does not necessarily mean that the ND will accomplish all the activities by itself. But it could establish the platform and procedures for the establishment of additional independent bodies. Institutions like Constitutional Assembly, reconciliation commission and historical clarification commission were born out of ND. For instance, in South Africa also parties have agreed to the basic constitutional principles and enacted Interim Constitution to aid the transition during the Multi-Party Negotiation Process (MPNP), the formal constitution was drafted by the Constitutional Assembly. Similarly, the Truth and Reconciliation Commission, which was established in 1995, has spearheaded the reconciliation and amnesty process. Thus, also the foundation work and minimizing the differences could be accomplished through the ND, a specialised, highly technical and time taking matters were left for the expert lead process than through negotiation type ND. Otherwise, overburdening the ND with all these technical tasks would frustrate parties as it takes time and a different approach than the negotiation type ND process. However, in some other countries like Kenya, the ND or technical committee under the ND was able to draft a constitution.

The following could be some of the general mandates of a typical ND:

Constitutional reform (e.g. Kenya, Mali, Tunisia, South Africa) constitutional reform is one of the often-mentioned purposes of ND in principles and in reality. Although it has taken different forms, most of the successful NDs have brought new constitutions and governance systems in the end. For instance, in South Africa, an interim constitution was passed by the ND’s Plenary and later endorsed by the parliament, which had paved the way for a general election. Then, the newly elected representatives who were tasked to finalise the writing of the Constitution, set a system for the establishment of an independent judiciary, the Constitutional Assembly and Constitutional Court (Mbambi, 2006).

Political and governance reform (e.g. Kenya, Yemen, South Africa, Cameroon). Although this could relate to the constitutional reform as witnessed in Kenya and South Africa, political and governance reforms could happen under the umbrella of the existing constitution or with amendments to it. For instance, the ND that has granted special status to the two Anglophone provinces of Cameroon was endorsed without the need to engage in a lengthy constitution amendment. However, the political reform and restructuring devolved governance in Kenya and South Africa demanded a new constitution. Equally, the ND in Yemen recommended a federal structure to grant more autonomy and local governance to marginalised areas although they have not agreed on the number of provinces/regions that would make up the federation when the war broke out.

Strengthening democratic institutions – even if this may not be the triggering factor for initiating the ND, many of them have discussed the establishment or restructuring of democratic institutions. These institutions include broadcast regulators (e.g. South Africa), security forces (e.g. South Sudan), independent judiciary and independent electoral commission (e.g. South Africa).

Cessation of conflict and armed struggle – in a conflict immersed country, one of the major goals of a ND would be the cessation of armed conflict and reintegration of those in the struggle with the community and state system. In some instances, cessation of armed conflict has been agreed up as a pre-condition to participate in the ND. Even then, sustaining such agreement, resolving the root causes of the conflict and designing implementation mechanisms for lasting peace are discussed in the ND.

Reconciliation and transitional justice – a very good case for this is the South African experience where the ND was followed by the establishment of the Truth and Reconciliation Commission that was mandated to investigate and document atrocities, acknowledgement by perpetrators and forgiveness by the victims. This, however, was only the product of the ND but did not happen within the frameworks of the ND. In a different form, the ND has given the way for Abdallah Saleh of Yemen to resign from his presidency in return for immunity (Elayah et al, 2020). In Colombia, the armed groups that have committed less serious offences and within the command of the military order was given immunity while others accused of committing serious human right abuses like rape, forced and murder was brought to justice.

Revealing truth – in Guatemala, the Commission for Historical Clarification (CEH) was established in 1994 to ‘clarify with objectivity, equity and impartiality, the human rights violations and acts of violence connected with the armed confrontation that caused suffering among the Guatemalan

people' over 36 years (1960-96) and to foster tolerance and preserve the memory of the victims (CEH, 1999). However, it has only started operation in 1996 after the final peace agreement was signed between conflicting parties. Led by a German law professor, Christian Tomuschat, the CEH had three commissioners and two Guatemalans (one woman of Maya descent) who were required to have an 'irreproachable conduct' and one from the academics as agreed upon by parties to the agreement that gave rise to the commission.

The commission received thousands of testimonies from 1996 to 1999, and issued its final report documenting the act of genocide against the Mayan people, victims of arbitrary executions, and enforced disappearance that has numbered around 200,000 running from 1960 to 1996. It has also concluded that agents of the state, notably by the army, committed about 93% of the atrocities and only 3% were attributed to armed insurgents. Finally, it proposed strong measures to redress the atrocities including public forgiveness, reparations for victims, preventive measures for future incidents and structural reforms in the arm and judiciary (CEH, 2017, 20). However, the report was short of naming individual perpetrators nor a call for prosecution. The act of the commission is not an isolated process but part of a series of consultations, hearings, negotiations and dialogue that has complemented the peace process and dialogue to end the atrocities and violence in Guatemala. Is this paragraph about the dialogue or the commission that came after the dialogue?

Strengthening democratic rights – in Yemen women were able to exert influence on parties to discuss the political inclusivity and role of women and youth both in the process and beyond. Many of the recommendations manifested the stronger presence of these groups and called for the protection of civil rights, and participation of women in governance and security sectors which would not have been discussed by political parties alone (Haider, 2019, 12). The convention that put an end to apartheid started by agreeing on a bill of rights that ends racial segregation, abolishing all forms of discrimination based on race, religion, sex and social background. In countries where oppression and discrimination were the causes of conflict and sources of grievances, it is likely for the dialogue to produce a recommendation, if not a bill, that fosters equality and equity. In Guatemala, the Commission on Historical Clarification (CEH) went on to propose the reintegration of Mayan people and other indigenous peoples of Guatemala and end to discriminatory state practices directed against indigenous peoples, notably Mayan communities (CEH, 1999).

Economic reform – the question of economic equity and opportunity was raised in many NDs including in Yemen, Cameroon, Sudan, South Africa etc by marginalised communities. The ND also

facilitate such grievances to get attention and be part of the implementation process. In Cameroon, the Anglophone communities living in the two North-western provinces claimed decades of socio-economic marginalisation at the hands of the government and cultural dominance of the majority Francophone (Bongse, 2020, 50). As a result, it was agreed in the ND that the government would and should allot special funding to provide socio-economic infrastructures in the provinces.

4.3. Mandate Setting Instruments

Agreed upon mandate and ensuring the legality of the establishing instrument is crucial to legitimatise and enhance the acceptability of the ND process. Thus, the terms of the dialogue that give the ND force of law - separate legislation or subordinate instruments, peace accord, an agreement between opponents - should be legal within the existing frameworks. A mere declaration of the government to constitute a ND or an exchange of notes between conflict parties is not enough to constitute an inclusive ND. Mandate emanates from:

Transitional government (e.g. South Africa, Kenya, Yemen, Somaliland) – political instabilities in countries like South Africa, Kenya, Yemen and Somaliland led to the establishment of transitional governments that are mandated to conduct an all-inclusive ND to determine the fate of the national and redraft a new social contract. The political instabilities could be armed conflict, civil disobedience, popular uprising, communal conflict, wanting to break away from a country etc. Mandate setting in such a conflict-prone environment might involve the intervention of foreign actors at the beginning as in the case of Yemen and Kenya but would be a national process after establishing the transitional government. In Yemen, the popular uprising forced Gulf Cooperation Council (GEC) to initiate a peace dialogue between the government and members of the public to deescalate the deteriorating situation. As part of the peace agreement, a ND was envisaged, the seating President, Saleh, agree to hand over power to his vice-president in return for immunity and be allowed to leave the country peacefully. The ND was then organised under the chairman of the vice-president, an interim government head appointed to lead the government until the outcomes of the ND are agreed upon by all parties. Similarly, in Kenya, a ND that resulted in a power-sharing agreement between opposing parties was brokered by AU delegates. Hence, Kenya created a Prime Minister's office and an interim coalition government until the general election was held. In the process, the ND was tasked to rewrite the constitution and restructure the state system to prevent future conflicts and respond to growing discontent.

Political accord or peace agreement among principal parties (e.g. Colombia, South Africa) – long lasting armed conflicts are often resolved by negotiation or conciliation with the involvement of foreign powers. However, as the conflict has done much damage to the public over the years, the legitimacy of the political accord reached between government and armed groups would be challenged. This could be redressed by conducting ND with the involvement of the public so that their opinions and grievances would be aired in an open forum.

In South Africa, the then government and ruling party was forced to negotiate the terms of a peaceful transition with other political forces notably the ANC. Thus, the pre-agreement between these parties allowed for the ND to continue until the parties are satisfied with the outcome. The parties have determined the mandate and goals of the dialogue in a pre-agreed peace accord such as the 'National Peace Accord' (September 1991), 'CODESA Declaration of Intent' in December 1991 and finally Resolution on the need for the resumption of multi-party negotiations (later called MPNP) on 5 March 1993 (Nsundi Mbambi, CODESA I). These documents were the basis upon which parties and government commit to engaging in a good faith to end violence, craft a new constitution, reform state structure, and set rules for the resumption of the dialogue. The agreements enshrined commitments both by the government and by participating political organisations that had given the ND foundational legitimacy. In some instances, these peace accords were more powerful than a unilateral self-initiated executive order or government legislation that has established a ND. The peace accords are negotiated outcomes in which parties have determined the objective, mandate and scope of the ND and the rule of procedures for themselves.

Legislative or executive decree (e.g., Sudan, South Sudan, Cameroon) – there are instances where ND has been staged in a relatively peaceful country without the need to unseat the existing government. Thus, when there is a growing public discontent or popular uprising on certain matters, governments have established ND to both hear grievances and appease discontent. However, as the process is established within the existing government, sometimes under its full control of it, its success is contentious.

For instance, in Sudan, President Al-Bashir's government established a committee to conduct ND under his chairmanship and full control (Saeid, 2017). All the higher-committee members and the sub-committee chairs and vice-chairs were made to be members of the ruling party and opponents. Al-Bashir chaired two of the three-initial dialogue. This has made popular political parties withdraw from the process accusing that the ND was meant to be consolidating power under the existing

leadership, and not to respond to popular demands. They further called for the ND to be established independent of government structure and committee members to be elected either by consensus or from non-partisan independent experts. Popular political parties and personalities presented these and additional preconditions before attending the dialogue which was largely ignored by the government. Furthermore, the ND Conference failed to convene for its final session, to officially announce or deliberate on the recommendations brought to it by the thematic groups and the public. Thus, due to the questions about the independence of the process and visible interference by the government, the ND failed to save Sudan from further state destabilisation (ND Conference, 2019).

Similarly, in Cameroon, the government proposed ND to deescalate the conflict in the two North-western anglophone provinces that wanted to break away from the widely francophone Cameroon claiming socio-economic discrimination. President Biya proposed a ND that would take place in Yaounde under the leadership of his Prime Minister, Joseph Dion Ngute, an Anglophone. However, the President was still in control of the process, designated as Chief Convenor, instructed the composition of participants and outlined the themes and time frameworks (the event was conducted three weeks after its announcement) for Ngute to start consultation with stakeholders (Dekewo, 2020, 17). Separatist groups in the two provinces rejected the initiative for lack of independence and put pre-conditions for any dialogue with the government such as international mediation, a location outside the country and an agenda focused on the terms of separation. Despite it being boycotted by many groups operating in the two provinces and continued violence, the ND was conducted in 2018 with the participation of delegates from the whole of Cameroon including from the Anglophone areas. The ND brought proposals to deescalate the tension such as granting 'special status' to the breakaway provinces, local autonomy and the reconstruction and development of the Anglophone regions (Husted, 2021). The dialogue, however, did little to resolve or deescalate the conflict, as attacks by armed groups continued in the region, and time would tell if the other recommendations of the ND would be realised and resolve the conflict for good.

Barnes cautions that such a ND that was 'deployed principally as a kind of spectacle, masking an attempt to consolidate the power of a regime under the facade of a public process' is bound to fail (Barnes, 2017). Most of the experiences accentuate that a self-initiative ND by a ruling party or head of government such as in Sudan, South Sudan and Cameroon triggered legitimacy and independence questions that led to a low level of participation by opposing groups and a lack of political will to implement recommendations. However, even if the government initiated the instrument, ensuring

wider participation of stakeholders, and guarantying the independence of the ND could enhance the acceptance and legitimacy of the process. In South Sudan, although the government initiated the ND and assigned conveners, the ND galvanised wider participation and balanced recommendations that even called for the stepping down of the leaders (Mayai, 2021). Even then, the implementation entirely relied on the will of the government, which was difficult to cement.

To sum up, the instrument that has given the mandate for the ND should be both legit and endorsed by the major participants of the process. Agreeing on the mandate of the ND should not be given to a single party or the sitting government whose legitimacy or ability to contain conflict or transform the country was already questioned by the public. Thus, conducting consultation and building consensus on the mandates and structures of the ND is the foundation and the first step towards building trust and confidence among parties.

Conclusion

The mandate is an artery of a ND process. It is the very reason why the national dialogue came into existence. Concisely, it is about the general objective and goal that the ND is required to achieve. It is preferred that mandates be clearly set or reset at the preparation stage of the ND than evolving during the process which may risk the breakdown of the process. If the mandate of the ND is not clearly set, it will be a leap in a dark. Redefining the mandate in the process is not proscribed. What is required to be fulfilled is for the process of redefining the mandate to be legit; participatory and inclusive enough. Generally, the mandate of a national dialogue should not be a reflection of a single or some interest groups, which may or may not be the ruling body or party. The mandate should be the result of the agreement amid the interest groups who are or will be party to the national dialogue.

In a situation where the country is in an uncertain state, there could be many issues that need discussion. However, this is not feasible. Therefore, only the major issues should be given priority and included in the mandate. Overburdening the ND process with many issues would make the process ineffective and inefficient. The process needs time, and huge resource. Moreover, the public expectation should be managed to the right balance. Therefore, in setting the mandate it is necessary to keep the equilibrium, to not make it too broad or too restrictive.

For the ND process to bear the necessary fruit, the mandate setting process should be as inclusive and truly participatory as possible. If this is not the case, it will affect the legitimacy of the whole process and drag the final recommendation's implementation. Having said this in general, the

following are the common general mandates of a national dialogue: constitutional reform, political and governance reform, cessation of conflict and armed struggle, strengthening of democratic institutions, reconciliation, etc..

Finally, it is worth to mention that the mandate of the dialogue commission can be determined, among others, by legislative or executive decree, and political accord or peace agreement among principal parties.

5. Agenda Setting Approaches and Principles

A ND is not a discussion left for a chance. It is a delicate and planned process to achieve a certain goal. The setting of the agendas for a ND is an important stage because it has implications for the success or otherwise of the dialogue. If clear agendas are set, uncertainty in the dialogue will be reduced. Put differently, it will help to keep all parties engaged in predetermined dialogue tasks (PILPG, 2015, 29). Accordingly, the substantive points on which a discussion is made should be selected and developed judiciously. These substantive topics for discussion can be selected and developed using different means and procedures.

Gaston argued that the ND in Yemen would have benefited from a more limited scope than those brought to it by the participants. She claimed that in NDs, the scope and number of issues should be realistic given the size of the body, and the time and resources allotted and should be balanced against the role that other political, or transition processes might play (Gaston, 2014, 10). Thus, it is important to identify agendas that require general consensus and wider input for ND and leave technical details for policymakers and experts to decide or present options (Gaston, 2014). Agenda that is not prone to general discussion had become roadblocks and taken away vital time and energy that participants could have used for creating consensus on other matters. In Yemen, the nine thematic groups brought close to 1800 recommendations and some manifested that the participants were as divided as they were at the beginning of the dialogue.

The discussion here is not about what issues should be agendas for discussion but about the approaches/process followed in setting agendas for a ND, and principles that should be taken into consideration in setting the agendas.

5.1. Processes of Agenda-Setting

From the outset, it is worthy to note that agendas are not similar to mandates. Conceptually, a mandate is broader, and agendas are hence merely a subset of a mandate. In nutshell, agendas are

specific discussion points that help to achieve the mandate. In other words, while the mandate signifies the overall aim of the process, agendas typically outline the specific themes to be addressed by the participants in the dialogue (Marike B et al, 2017, 68). The agendas of the ND are contingent on the mandate (Marike B et al, 2017, 68). This means whether the agendas should be broader or narrower in thematic scope depends on the mandate of the ND. If the ND is seeking a fundamental change, it will have agendas with broader thematic scope. If the ND process aim is focused on like conflict prevention/management, it will have narrow agendas that target addressing the contested issues¹(Marike B et al, 2017, 68).

Coming back to the main subject of this section, options as to how agendas are set, setting agenda involves the following elements/process: (PILPG (2015), 29) selecting the general agenda framework; developing specific agenda items; sequencing items on the agenda; and establishing a complementary timeline for the agenda.

(a) Selecting the general agenda framework (Preliminary Agenda)

The agendas for a ND may emerge in different forms. The first option is the ND framework agreements or peace agreements (PILPG (2015), 29). The peace agreement may provide general agendas for the ND. This means the agendas are part of the terms of the peace agreement. It is argued that providing the agendas in the peace agreement enhances transparency and manages what to expect from the dialogue from the outset (PILPG (2015), 29). This approach was employed in the Democratic Republic of the Congo in the signing of the Lusaka Ceasefire Agreement. This peace agreement established the agenda for the Inter-Congolese Dialogue (ICD).²

Similarly, agendas for a ND can be set in the framework agreement. Commonly, framework agreements broadly pinpoint the key issues or themes that may be on the agenda. Once the key issues or themes are identified in the framework agreement, what is common is for a preparatory committee to develop it into a more detailed and comprehensive agenda.³ This was the approach used in Yemen. The general framework agreement for Yemen's ND Conference (NDC) identified eight

¹ For example, In the case of the Yemeni National Dialogue Conference, the original agenda as set out in the Gulf Cooperation Council Initiative Implementation Mechanism was very broad, whereas the Lebanese National Dialogue, according to the Doha Agreement of 2008, had a clear thematic focus, mainly on security arrangements.

² Lusaka Ceasefire Agreement, 23 July 1999, available at https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_990710_LusakaAgreement.pdf accessed on April 1, 2022, Article 5(5).

³ Agreement on the Implementation Mechanism for the Transition Process in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (GCC), Art. 21, (Yemen, 2011), as cited in PILPG (2015), 30.

particular issues of prominence.⁴ Subsequently, Yemen's ND Conference Technical Committee drafted a more specific and comprehensive agenda of 13 main agenda issues.

The second alternative is a preparatory committee or commission that is established to determine the agenda (Jonathan H, 2016, 4). In principle, this approach comes when the peace agreements or framework agreements do not provide general agendas for the ND. Accordingly, the preparatory committees create a specific agenda for the dialogue (PILPG, 2015, 6). It is worthy to note that the preparatory committees are not similar to the parties to a peace agreement or framework agreement. Preparatory committees are broader and are typically representative of the parties to the ND (PILPG, 2015, 30). As a result, it is logically expected that the preparatory committees can develop agendas that reflect the interests and priorities of all the stakeholders in the dialogue (PILPG, 2015, 30). This approach was followed in Benin (PILPG, 2015, 30). President of Benin, Kerekou, appointed a diverse preparatory committee to decide the conference's agenda and composition (Katia, 2013, 6).

The agenda for a ND may also emerge out of highly participatory processes of consultation within stakeholder groups and in the wider society (Marika B et al, 2017, 69). For example, in Kenya, it was suggested by mediators that women leaders and organizations meet with each other to develop a common agenda of concerns to be addressed.

(b) Developing specific agenda items

This is about how to develop a specific agenda item from the selected general or preliminary agenda area. While developing a specific agenda item, those parties who set the agendas generally work together. This, however, does not mean that they would not get the support of outside actors—to create a list of issues for discussion, identify the core issues and interests among the parties, and determine the detail or levels of discussion (PILPG, 2015, 30). In the agenda-setting process in general, developing the specific agenda item in particular, the parties or a preparatory committee first identifies the broad issues⁵ for the dialogue to address (PILPG, 2015, 31). Once the parties have established the broad issues or themes, they move on to deciding on more specific issues and topics for discussion. There is no acceptable level of detailedness in setting the agendas for the ND.

⁴ Agreement on the Implementation Mechanism for the Transition Process in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (GCC), Art. 21, (Yemen, 2011), as cited in PILPG (2015), 30.

⁵ The common broad issues selected are issues such as constitutional reform, political reform, human rights protections, transitional governance, or reconciliation efforts.

However, it is agreed that the level of detailedness varies from dialogue to dialogue. However, one thing is indispensable in all scenarios. Too much detail, however, may proscribe flexibility in discussions (PILPG, 2015, 32). In setting the agendas, having broad/detailed or extensive agendas, while it permits the interested parties (stakeholders) to address issues they may think are important to all of them, may cause a delay in the process, and increased chances for dispute among the dialogue participants.

(c) Sequencing items on the agenda

Once the agendas are selected and developed, the order in which they are discussed needs caution. Meaning there should be the sequencing of the agendas for discussion (Marike et al, 2017, 69). Sequencing of the agenda items is important because it sets the tone for the discussions and can help build confidence among the dialogue participants (PILPG, 2015, 33). It also helps to avoid the dialogue from crumbling promptly and to allow the necessary space for developing working trust (Marike et al, 2017, 69).

Sequencing of agenda items involves the following elements:

- a)** Identification of the core interests and priorities associated with the agenda issues - The first step in prioritization is to list the issues that all the participants and stakeholders may wish to discuss (PILPG, 2015, 33). Of the listed issues, the parties may categorize them as major or minor issues. Moreover, an assessment may be made as to the level of contention and complexity that surrounds the listed issues. Throughout the agenda sequencing process, in addition to providing a list of issues for discussion, it is necessary to outline the participants' agreed-upon core interests and goals (PILPG, 2015, 33).
- b)** Strategically sequencing the issues within the agenda based on those core interests and priorities, as well as specific issues' relative importance or value. Generally, there are three main strategic approaches to sequencing:
 - i. Addressing easiest issues first** - one common approach to sequencing agenda issues is to address the "easiest" issues first (PILPG, 2015, 35) (Marike et al, 2017, 73). Easiest issues refer to issues/topics on which the participants have a shared interest or topics that are the least contentious or politicized in nature. This sequencing strategy is important to build trust and momentum at the start of the dialogue among the parties.

- ii. Addressing major issues first** - in this strategy, priority is given to issues that are highly decisive for the success of the overall dialogue (PILPG, 2015, 35). The test is not based on the question of whether the issue is easy to settle or not, but on how much it is critical for the success of the overall ND process. Hence, here, the parties identify the most “important” issues for the success of the dialogue and then prioritize those issues over other “minor” issues. This approach is apposite if the dialogue is restricted by a relatively short timeline (PILPG, 2015, 35).
- iii. Starting with complex issues** - unlike the first approach, here, the parties start the process from the complex issues listed on the agenda (PILPG, 2015, 36). The rationale is related to the choice of exerting the most energy on the most complex issues. Engaging in and addressing the most complex issues before internal division issues arise during the dialogue process (PILPG, 2015, 36). This strategy would be effective if there is a relatively high degree of trust and confidence among the parties because discussions of complex issues can foster intense disputes and provide little opportunity for initial trust building (PILPG, 2015, 36).

(d) Establishing a timeline for the agenda

The activities in a ND are time bounded. There is a need to decide the period within which the developed agendas should be discussed. Determining the timeline is related to the efficiency of the ND. It helps to maintain steady progress in discussions and deter delays in implementation.

In determining the timeline, those who engage in agenda setting may follow either one or both of the following approaches: frame the agenda around an existing ND timeline, or they will develop a timeline to complement the development of the agenda (PILPG, 2015, 36). Specifically, the following are some of the approaches to establishing timelines: (PILPG, 2015, 37) (1) creating a fixed deadline; (Jamal B, 2003, as cited in PILPG, 2015, 37)⁶ (2) linking the ND timeline to specific elements within the broader peace process timeframe;⁷ or (3) providing a general statement or commitment that the

⁶ In this case, a specific deadline is fixed. For instance, South Africa successfully implemented this approach in its Interim Constitution and dialogue process, which required the new constitution to be passed within two years of the first meeting of the National Assembly of the transition government.

⁷ For example, in Guatemala, the parties to the National Dialogue synchronized their discussions and delivery of National Dialogue recommendations to the international mediator with the broader timeline for bilateral peace negotiations

ND shall not delay the broader peace process.⁸ Besides this approach of providing timelines for the broader ND process and for addressing the entire ND agenda, “some NDs may feature a series of more detailed timelines to govern specific elements of the ND process and agenda. For example, the framework agreement for Kenya’s ND prescribed specific date ranges of seven to 15 days for the parties to resolve specific agenda items, such as ending political violence, ensuring the delivery of humanitarian assistance, and agreeing on a solution to the disputed presidential election” (Kenyan National Dialogue and Reconciliation on the Resolution of the Political Crisis, as cited in PILPG, 2015, 38).

5.2. Principles to be Observed in Agenda Setting

Agenda setting is not a random act. The manner that the agendas are set has implications for the ND. If the process is transparent and inclusive enough, it will provide clarity to the whole process (Marike et al, 2017, 69). This creates a common understanding and trust amongst the parties to the ND.

In setting the agenda for a ND, due care should be given to the following points:

(a) Manageability of agendas

It is natural that in a country where things are not normal; in times of transition, there could be many issues that need to be discussed and settled. However, it is also equally expected that it is not possible to table all issues for discussion. Addressing all issues would require unlimited resources, time being one of such resources. Put differently, it raises the concern of overburdening. Moreover, there is a high probability for irreconcilable objectives to arise. Therefore, it is necessary to devise a mechanism that compromises inclusivity in the process and efficiency. Therefore, agenda setting should focus on issues that help to achieve the very objective of the ND (Marike B et al (2017), 73). Attempting to bring every issue to the table would make the ND process too protracted and inefficient. It is necessary to make sure that the agendas are doable in the limited period that the ND operates. However, manageability should not be a scapegoat. Inclusivity should not be unnecessarily compromised. Moreover, those who set the agendas should note the risk of excluding a certain issue from the discussion, not considering it as an agenda. When this is the case, it often becomes the focus of the participants’ attention outside the process and stalls discussions on other issues in the

⁸ Because such language, in isolation, will not help move the peace process forward, states typically combine this approach with one of the previous two-timeline approaches. For instance, Guatemala’s language linking the National Dialogue timeline to the broader peace timeline also provided that the National Dialogue would “not delay the conduct of the bilateral negotiating process.

process (Jonathan H, 2016, 5). Nevertheless, it is equally necessary for parties to ND to “recognize that a ND, as a one-time event with limited duration, cannot discuss every single issue that a society is facing and that they will need to prioritize”(Jonathan H, 2016, 5).

Generally, one of the issues that need attention in agendas setting is the extent of the agendas that will be selected for a ND; whether it should be limited or as many as possible. On this, there is no consensus. Many criticize the tendency of limiting the agendas from the start. It is argued that this is contrary to the nature of ND. ND has the liberty to open up issues that were previously not fully addressed or tabooed (new national agenda) (Natalia M, 2016, 362). A ND is considered a forum where every idea – the good and bad – comes to a discussion table. However, it is also submitted that care should be taken to not include agendas that essentially or inherently are contrary to the aim of the ND itself. Discussion topics that are contrary to the very aim of the ND should be excluded (Marike et al, 2017, 70). This means that although in principle, ND should not be closed to any agenda, it must, exceptionally exclude agendas that are inherently against its main aim.

(b) Inclusivity

Needless to mention that the process of agreeing on the agendas is a ‘mini’ negotiation in itself. For the main discussion to be fruitful, the mini discussion for agreeing on the agendas should be inclusive (Marike et al, 2017, 73). No stakeholder should be superfluously excluded. A ND is not a table where people with similar interests or invited but the other way round. If a certain interest group is excluded from the agenda setting process, it would be difficult for such person/group to accept the legitimacy of the whole process. Technically, these people are invited to discuss the agenda of another group of persons. Hence, they would not provide support to the process.

(c) Making use of working groups and subcommittees

In the process of ND, not every issue may come to the main table as it is. Sometimes, it is important to discuss the most contentious issues in manageable portions and task a working group to work out options for how these topics could be managed or discussed at the main table (Marike B et al, 2017, 73). This would tone down the level of disagreement and increase the chance of reaching an agreement. This however does not mean that it is always unwise to bring the most contentious issues to the main table.

Conclusion

Setting the agenda, the substantive discussion points, is another milestone in a ND process. The framing, selection, and development of the agendas of the ND have a direct implication on the achievement of its mandates. It can be submitted that if there is a flaw in the mandate setting, it will possibly be reflected in the agenda-setting. In the same taken if there is a problem in the agenda-setting, it will adversely affect the success of the ND. In short, agenda is a subset of the mandate. It is the aggregate of the agendas that will determine whether or not the mandate is achieved. Hence, the agenda need to fall within the mandate of the national dialogue.

The agenda can be selected and developed in different forms. The general/preliminary agendas emanate from a peace agreement, a framework agreement, the work of a preparatory committee, or a mini discussion. This means there is no single way for the agendas of the ND to be selected and developed. Once the general agenda area is selected, the next step is developing the specific topics for a discussion. In developing the agendas, it is necessary to not close all doors for flexibility by making it too detailed. Moreover, as it is not possible to discuss every issue at the same time, it is necessary to priorities the agendas. The sequencing of the agendas should be made by taking the easiest way to achieve the mandate of the ND. Finally, it is necessary to note that agendas should be manageable, and the process should be inclusive and participatory. Therefore, akin to mandate setting, in agenda setting too, the process is very much important.

6. National Dialogue Structure and Institutional Setup

Each country has adopted its own structural and organisation setups for the ND. However, in nearly all instances, a ND involves the establishment of an ad hoc body that facilitates the dialogue and conducts consultation with stakeholders. Even before the organisation of the ND proper, some countries have formulated organs entrusted with the initiation of the dialogue, conducting preliminary consultation with principal parties and preparation of the main forum or plenary. The likes of the Contact Committee in Yemen, Preparatory Commission in CAR, Consultative Meeting in Sudan, Preparation Committee in Benin and ND Leadership in South Sudan discharged the preparation role in their respective NDs (Blunch et al, 2017, 24). These initiating organs might later transform into a full-fledged body that undertakes and oversees the operation of the whole ND. There are also instances where the preparatory activities were overtaken either by the government or civil societies alone or by the main body established to oversee the ND or as part of a larger peace agreement between parties.

However, it is equally important to have consensus on the nature of the body, format of dialogue and the convener at the preparation stage of the ND. Thus, once the preparatory body (e.g., committee or commission) is established, major actors and stakeholders of the ND are tasked with the preparation of the main body together with its support structures and define the rule of procedure on the following matters (Papagianni, 2014; Sy et al, 2016):

- establish support structures for the commission, in the form of a technical committee, expert groups, steering committee etc,
- select conveners or chairpersons of the different structures or agree on the rule of selection,
- draft the outline of the dialogue agenda and prepare tools, guidance to the dialogue participants on how to approach the various agenda items,
- define the criteria for participation at all levels (e.g., local consultation and national conference) and the process through which the participants will be selected,
- outline decision-making procedures at different levels,
- determine the level and extent of consultation to be undertaken at the grassroots level (e.g., zonal, wereda, zonal, regional synthesis, national, diaspora and internally displaced people (IDP) etc),
- prepare all the administrative and logistics aspects of the dialogue including venue, security, funding and other aspects,
- develop communication and information strategy for the general public in order to ensure that the approach is well understood in its ends and means so that it becomes socially and institutionally well-rooted.

In this and the following section, we will present the principles that guide the selection of conveners, the structure of the ND, agenda-setting and define the rule of procedure.

6.1. Chairperson/Conveners – Selection Process and Personality

In all circumstances, the presence of a central figure or body with the authority of convening the ND is necessary. This central figure, whose perceived neutrality is vital, could be a body, an individual or a group of individuals (Paffenholz et al, 2017, 42). The independence and quality of the convener also called the facilitator significantly affect the credibility and success of the process. Hiader (2019, 19)

argues that, in addition to the personal qualities of being a charismatic, respected and credible leader, a convenor should be 'independent, with significant leeway to act in accordance with what they consider best for the process, and thus not perceived as merely a puppet of the president or party in power.' It is also argued that conveners who have a natural quality of facilitation skills and a high degree of political legitimacy would improve trust in the process, parties' determination to engage in the process, and the integrity of the process including breaking deadlocks and keeping parties focus on the issues (Haider, 2019, 19).

Such personalities include Benin's Archbishop Isidore de Souza, a highly respected religious leader, who acted as independent chair and mediator of his country's ND. Observers reiterate that de Souza was significant throughout the process such as convincing President Kérékou to accept the sovereign status and the outcomes of the Convention (Paffenholz et al, 2017, 69). Similarly, Afghanistan's Ismael Qasimyar, an eminent professor of law, chaired the Special Independent Commission for the Convening of the ELJ and later assumed a mediator's role. The clan leaders (Guurti) of Somaliland have also assumed the role of facilitators in the Somaliland ND (Paffenholz et al, 2017, 42).

In exceptional cases, regional blocks and neighbouring countries have also attempted to facilitate as well as act as a host of ND at different times. These are highly regarded political or public figures who are believed to have influence over the principal participants or are perceived to have a neutral stand on the contentious subject. It is noted that Burkina Faso's president mediated the Inter-Togolese Dialogue; Djibouti's President Ismail Omar Guelleh was a facilitator of the ND on Somalia (Djibouti); respected public figures from New Zealand facilitated the discussion in Papua New Guinea and the Panel of Eminent African Personalities under the leadership of Kofi Annan facilitated the Kenyan dialogue (Paffenholz et al, 2017, 42). However, these types of dialogues that have negligible public consultation processes resemble mediation or negotiation than a ND proper.

Despite efforts by the international organisations including the UN to mediate the opposing parties in South Africa to settle their differences, deescalate the deteriorating security situation and create a new governance system, South Africans choose to work around a locally made convention to lead the process. Finally, CODESA I was chaired by two prominent judges - the country's first black judge who was known as 'advocate for the defence in political trials'; and a judge respected for both 'fairness and competence' and taken as the pillar of the established judicial system (Mbambi, CODESA, 74).

It is also claimed that in addition to being independent, having personal charisma, credibility and respect, a convener with political power, clout or weight increases trust in the process and its eventual outcome (Blunch et al, 2017, 5). A typical example of this is the political influence the Quartet had over Tunisian politicians to negotiate a road map for the ND and later mediate the dialogue process. The largest trade union in the country, i.e. Tunisia's General Labour Union, was joined by the employers' union, Tunisian Confederation of Industry, Trade and Handicrafts, the Tunisian Human Rights League and the Tunisian Bar Association to form the Quartet. The coalition of these institutions, especially that of the trade union and employers, brought considerable political clout and strong societal backing that the politicians cannot ignore. The Quartet's 'decisive contribution to the building of a pluralistic democracy in the country' earned it the 2015 Nobel Peace Prize (Blunch et al, 2017, 303).

However, in the absence of individuals that would get trust and accepted neutrality in the matter, the conveners could be multiparty individuals even those with clear political affiliations. For instance, in South Africa, although senior judges chaired CODESA, MPNP meetings were chaired by members of the negotiation teams on a rotating basis, thus increasing the sense of inclusion of the parties. In Yemen, as agreed between the major parties to the peace agreement, the ND Conference was headed by a nine-member presidency chaired by President Hadi and other elected members including from political parties (Blunch et al, 2017, 80).

Thus, as long as parties to the dialogue have trust in it, the convener could be an individual person, group of persons, institution or on a rotation base. Nevertheless, the personal integrity, skill, experience and perceived objectivity of the convener are fundamental to the process.

6.2. Structure

Structure refers to the organogram of the ND beginning with the leadership to the lower unit that undertakes local consultation meetings. As repeatedly said before, different countries have adopted various structures depending on the nature of the agenda, types and numbers of participants and socio-political context of the societies. Haider (2019, 18) reiterates that the 'structure tends to respond to a key set of functions: preparing the process, overseeing the process, providing technical support and research, facilitating broad-based/representative decision-making and generating thematic input, often organised around working groups and subcommittees.' The description below presents the structures in three different countries – South Africa, Sudan and South Sudan.

(a) South Africa

The CODESA I of South Africa started as a negotiation process among political parties, political organisations and government. Hence, delegates of close to 19 organisations including the government attended the first session. They established five working groups and a Management Committee. Accordingly, parties had two delegates and two more advisors for each working group, and one delegate and one advisor for the Management Committee. Overall, a total of 400 delegates representing 19 organisations took part in the plenary. The working groups were tasked 'to reach agreements on key issues assigned to each one of them and to compile reports, reflecting a consensus, to the next plenary' (Mbambi, CODESA I, 75). A Daily Management Committee of eight delegates and Secretariat oversaw assisting the Management Committee and the administration and implementation of its decisions (Mbambi, CODESA I, 75).

However, this highly partisan structure had failed to bring the parties to a consensus and CODESA broke away without signing a final decision or agreement. However, the process has paved the way and laid the foundation for the later convention, i.e., MPNP, to succeed. As a result, MPNP adopted a slightly different approach and structure of the process. The MPNP established the parliamentary style plenary composed of 5 delegates and one advisor from each of the 26 participating organisations to decide on the outcome of the negotiation. Under the Plenary is the Negotiating Council (two delegates and two advisers from each party) that consolidates negotiated outcomes brought to it by the Technical Committees and presents it for the plenary to decide. The proposals for the Negotiating Council were to be drafted by the Technical Committees (5-6 members) who were non-party political experts elected by the Council and mandated to review submission. The Technical Committees are established along with themes and were required to consider submission by political parties to the higher council and discuss options to the themes at hand (Mbambi, 2006).

One thing to note in the South African dialogue is the absence of formal consultation and engagement with community representatives. It was noted that 'although the public was invited to make submissions on constitutional principles to the working groups, CODESA made little attempt to either educate the public about its work or elicit the views of important groupings on the substantive issues' (Barnes, 2002, 26). This makes CODESA and MPNP less of ND and more of a negotiation between political actors (Barnes, 2002, 27). However, an organised and very active civil society and media have helped to reach out to the public through different campaigns (Barnes, 2002, 32).

Furthermore, consultative meetings and workshops, public advertisements and online comments were arranged to get feedback on the draft constitution.

(b) Sudan

Before the announcement of the comprehensive ND by President Al-Bashir in 2014, Sudan was plagued by armed conflicts in its western and southwestern regions, racial tension, economic crisis, higher public discontent towards the ruling groups and a call for reform within the ruling party (Saeid, 2017, 16). With the participation of 83 political institutions, the first consultative meeting (General Assembly) of the dialogue was conducted in April 2014 under the chairmanship of Al-Bashir (the subsequent meeting of the Conference's general assembly was also chaired by Al-Bashir). One of the decisions made was to establish a High Coordination Committee to lead and oversee the ND. The Committee was composed of an equal number of representatives (seven each) from the government and opposition parties but still under the chairmanship of President Al-Bashar. Opposition figures called for the appointment of an independent national personality to chair the Conference but were rejected by the government. This has raised scepticism at the beginning and accused the seriousness of the ruling NCP and its attempt to use the process to diffuse popular discontent and consolidate power.

The High Coordination Committee was mandated to undertake the conference including determining participants, organising the conference, public outreach programs and follow up outcomes of the conference. Under the Committee, they have established six thematic sub-committees to conduct the dialogue, community consultation and submit recommendations to the General Assembly. Three of these sub-committees were chaired by government representatives (experts) and co-chaired by opposition party representatives while the remaining three were chaired and co-chaired by opposition parties' representatives, respectively (Saeid, 2017, 24). Thus, like the High Coordination Committee, the sub-committees were dominated by party representatives although most of the influential political parties have withdrawn from the dialogue by then. The ND Conference was held on the 10th of October 2015 under the chairmanship of Al-Bashir and the participation of more than 92 political parties, nine armed groups and 74 national figures. However, most of these political parties had little political influence and popularity among the Sudanese people (Saeid, 2017, 25). The Conference gave three additional months for the sub-committees to conclude their work and report back to the Conference. By the end of March 2016, all the six thematic committees have submitted

their recommendation which was passed by consensus and in exceptional cases by a 90% majority as per the Conference's roadmap (Saeid, 2017, 31).

(c) South Sudan

President Salva Kiir announced the ND on 14th December 2016 and appointed eminent personalities to lead the process (Deng, 2017). The dialogue was generally intended to complement the ongoing peace process and to be an internal reflection where South Sudanese people would reflect on peace, security, and state formation.

The structure was set to have ND Leadership (nine members), Steering Committee (97 members), Secretariat (13 members), and stakeholders and partners (Vhumbunu, 2018). The Leadership is mandated to oversee designing policies and strategies and consult with political and diplomatic leaders. The ND Stakeholders group comprises of the broader South Sudanese public coming from civil societies, academicians, government and political party representatives and think thank groups (Vhumbunu, 2018). The Steering Committee would conduct wider consultation, draft recommendations, and convene the ND Conference (Mayai, 2020). Under the Steering Committee, 15 sub-committees were established to conduct the local and grassroots consultation. The sub-committees had a specified region or groups (e.g. Security, Diaspora, refugees etc) to consult. Each of the sub-committees had five members where the chairperson was agreed by consensus while other members were free to choose their preferred sub-committees (Deng, 2017).

The ND Leadership conducted consultation with opposition political figures, political elites, governments of neighbouring countries and regional institutions by visiting South Africa, Kenya, Ethiopia, and Sudan (Deng, 2017). While the sub-committees oversaw more than 200 consultative meetings across South Sudan and in neighbouring countries (e.g. Kenya, Uganda etc) (Vhumbunu, 2018). Finally, the process concluded with the ND Conference held from 3rd to 17th of November 2020 with the participation of more than 500 delegates (Mayai, 2021).

Thus, the presence of the General Assembly or Plenary at the apex of the process is observed in almost all NDs. The plenary will be assisted by the Planning or steering Committee that would design procedures, consolidate matters to the plenary and link the Plenary with working groups. At the lower level is a mix of representatives and experts to work as a working group (also called sub-committee, thematic group, technical group etc) to conduct public consultation, draft proposals and consolidate recommendations on each theme. Nonetheless, apart from these formal structures that

are often dominated by representatives of different groups, support structures that provide technical and expert advice to the leadership and participants are established.

6.3. Support Structures

As there is no blueprint design that works for all, each ND will have its own unique structures and support systems aligned with the context and mandates given to it. Support structures that are composed of civil societies, actors that support principal participants, expertise, professional associations, and media are important in forcing compromise, coalition-building among participants and establishing deadlock breaking mechanisms. They could also provide the logistics and expertise needed to facilitate informal dialogue, thematising submission and discussion, structuring the dialogue and creating a conducive environment for the dialogue to run smoothly. The following are a few of them that are involved in the dialogue process:

Technical experts – these are non-partisan experts that have experience and knowledge of the specific agenda of the ND. Apart from the commissioners or conveners selected to chair or facilitate the dialogue at different levels, several experts are required to work on technical matters such as taking notes, preparing synthesis, consolidating recommendations, drafting outcomes, designing tools, and preparing explanatory notes etc. In some countries, technical committees, which are composed of experts, are established for each thematic working group to provide thematic inputs.

Communication and Information dissemination – It has been claimed that ‘the success of NDs is predicated on strong public support, which makes public information and media engagement key elements of the process (Blunch et al, 2017, 121). Media works on bridging the gap between the ND and the public and hence produce support for the process. The presence of a clear media and communication strategy and a professional structure ensures the balance between the confidentiality of deliberations and the transparency of the process. Contrary, the absence of an organised communication strategy would subject the ND to misinformation, disinformation and mal-information that harms the integrity of the process and create distrust. The communication strategy should also envisage using various platforms to reach as diverse communities as possible considering the literacy and understanding levels of different groups. Such strategy should address issues of creating a website and hotlines, running radio and TV programs, liaison with media outlets, use of social media, rule of media briefing and interviews, preparing advertisements, regulating media reporting on the issues, soliciting opinions and recommendation from the public etc.

Friends of the national dialogue group – composed of professional groups, civic societies, media organisations, labour unions and development partners. The main objectives of this group are to conduct a community outreach program by creating public awareness campaigns, ensuring the transparency and integrity of the dialogue, and training local community groups on the importance of the dialogue and the value of peace. These could take different forms and structures but are all private initiatives that are established to support different activities of the ND. For instance, in Lebanon, the Common Space Initiatives assisted by international partners provided technical assistance to the presidency and ‘facilitated structured informal dialogues among policymakers, intellectuals, experts, civil society actors, stakeholders, and individuals to create an environment conducive to progress’ (Blunch et al, 2017, 131). In South Sudan, stakeholders composed of government and political party representatives, civil societies, academicians, and think-tank groups were brought together to provide support to the Steering Committee that coordinates and leads the ND.

6.4. Working or Thematic Groups

Working groups or thematic groups are another structure of the ND that is vital to conducting public consultation and also consolidating recommendations. Often the number and divisions of the groups emanate from the mandate. However, the mandates are not always clear and enable to determine working groups. Thus, in addition to referring to its broader mandate statement, the preparatory commission through a consultative process would determine the agenda that the sub-groups or thematic divisions would work on.

In Yemen, nine wide-ranging thematic working groups address the country’s political, institutional, and social issues (Gaston, 2014, 3). The Southern issue; the Saada (Houthi) issue; transitional justice; state-building; good governance; military and security; independence of special entities (focusing on rights of minorities, vulnerable, and marginalized groups); rights and freedoms; and development. Likewise, in Sudan, the opening session set up six sub-committees to work on Governance Issues and Follow-up of the Implementation of the Dialogue’s Outcomes; Freedoms and Fundamental Rights; Unity and Peace – ending the civil war and upholding security; Identity – defining Sudanese identity and respect for diversity – centre-periphery; Foreign Policy; and Economic issues. Thus, the sub-grouping in Yemen and Sudan was based on thematic groups as agreed on by parties.

In South Sudan, however, the 15 sub-groups (called sub-committees) were established along with specific geographical areas or groups than based on thematic lines. These 15 sub-committees were

determined based on the Ten Old States to which sub-committees on Abyei, Boma, the National Capital, Security, and International Outreach to Refugees and the Diaspora were added. The Chairpersons of the Sub-Committees were agreed upon and the rest of the membership was determined by personal choice, provided that the number of each Sub-Committee did not exceed five, including the chairperson (Deng, 2017). The sub-committees conducted two months-long regional and grassroots consultations both within and outside the country (Deng, 2017).

Whereas, during the CODESA process, the core themes assigned to the working groups in South Africa were established along with the themes of – (1) creating a free and fair political climate; (2) setting constitutional principles and a mechanism for drafting a new constitution; (3) transitional measures including interim government; (4) the future of the four breakaway ‘independent states’; and (5) timeframe and implementation (Barnes & Klerk, 27). Later in the MPNP of 1993, – apart from the two additional commissions – The commission on National Symbols and the Commission for the Demarcation of Provinces, the working groups were divided into seven technical committees *Constitutional; Violence, Fundamental human rights, The Transitional Executive Council, Independent Electoral Commission, Independent Media Commission, and Discriminatory legislation* (Blunch et al, 2017, 292).

In Mali (1993), there were four working committees - Constitutional Committee, Electoral Code Committee, Charter of Political Parties Committee, and the State of the Nation Committee. The conclusion is that having five to seven working groups based on themes than geography may help to have a detailed discussion on all matters and produce tailored recommendations.

Conclusion

There is no universally prescribed structure and organizational setup for a national dialogue body. Every country adopts its own depending on the goals set to be achieved, the number of participants and the available time and resources. However, a national dialogue is advised to be undertaken through an independent ad hoc body that is established in consultation with all the concerned stakeholders. This body should have its own autonomy, organization structure, personnel, finance and physical infrastructures to carry out the ND activities. This tells that the whole process of a national dialogue is not a one-man show.

One of the main issues in this regard is the selection and appointment of the conveners (also facilitators, chairpersons) that chairs the body of the ND (both the management of the body and main

conference). A convener should preferably be independent, with significant leeway to act in accordance with what they consider best for the process, and thus not perceived as merely a puppet of the incumbent government. The appointment of the facilitators should be transparent and participatory. Unless there is trust and legitimacy in the facilitators, it is hardly possible to reach an implementable consensus. However, there are instances where institutions or multi-party conveners (including representatives of political parties) are assigned as conveners with members sharing responsibilities. In some instances, the chairperson of the ND body and the one that chairs the ND conference and consultations might be different. However, the latter should be elected in the same manner as the convener.

The other structure of the commission should be designed in a way that helps to achieve its mandate, hear wider voices including the general public, allow building consensus, break deadlocks and ensure the independence of the commission. A national dialogue structure should also be structured to enable use the inputs of subject matter experts. Accordingly, in addition to the functional staffs of the body, support groups such as from civil societies and professional associations should be integrated within the process. Thus, a balance should be maintained between having representatives of antagonized groups (such as political parties) and neutral groups (such as experts and public figures).

Accordingly, structures like technical committees, councils of civil societies, logistics coordinators, and communication and media should be established as neutral units to support the dialogue process.

7. Rule of Procedure

The discussion under this section assumes that there will be a Plenary or General Assembly of the ND composed of different stakeholders that would assume the final decision-making power. Under it will be other structures including working groups that would run local consultations. Hence, the principles and approaches used to determine participation and decision making in all the structures including the plenary, working sub-groups and local consultation are presented below.

7.1. Participants Selection

It is generally agreed that 'the transformative potential of NDs can only be realised if they are genuinely inclusive of society' (Haider, 2019, 2). Commentators agree that there is no definite rule in determining the participants and their size where many contexts such as the types of agenda (such

as recreating social contract, re-establishing institutions, resolving party conflicts etc), social fabrics, decision making cultures, the urgency of the matter etc should be considered. The Blunch et al's National Dialogue Handbook (2017, 80) recommends considering the following guiding questions in determining participation:

- What is the overall purpose of the process and what are the agendas?
- Whose participation is necessary to affect change on the topic?
- Who must participate directly, who can participate indirectly?
- What other avenues for participation exist?
- What is realistically possible given the resources and funding available?

A question of who and size is always contentious. A smaller size is preferred for arriving at a consensus and fostering detailed discussion on the issues but is short of inclusivity and would become an elite-dominated process. However, a larger size galvanises different communities to contribute their part to the process, ensure local ownership of the outcome and nurture a democratic process. On the other hand, a large size ND requires significant time, human resources, logistics and educating participants on numerous issues (Blunch et al, 2017, 82). Haider noted that 'highly inclusive and participatory NDs may render discussions unwieldy, however, and make it difficult to resolve key political questions. The success of NDs can depend in large part on finding the right equilibrium between efficiency and inclusiveness' (Haider, 2019, 2).

Papagianni (2014) reiterates that selecting participants is challenging and is a political decision but also pivotal activity in determining the legitimacy, inclusiveness, and credibility of the ND. This is especially challenging if the preparatory commission is assigned by the government or elected by the participation of a few bodies and lacks broader legitimacy. In all cases, the rule for selecting ND participants should be agreed upon through consultations with major stakeholders and actors. Papagianni (2014) presents four steps to determine the participants of the ND and consultation at each level.

1. political agreement on the constituencies,
2. determine the sub-categories belonging to each constituency,
3. decide its size – allocating quota and seats, and
4. design the actual selection methodology of participants

Constituents are defined as larger categories of institutions, social groups or geographical areas that are aligned based on some interests. This may include government, security forces, political parties,

armed groups, religious leaders, regions, ethnic groups, minorities, professional associations, academics, trade unions, diaspora community, local elders, women and youth groups, civil society, and national figures etc. These are only the possible groups and are not always mutually exclusive and exhaustive. The process of determining the constituents might be straightforward in some instances where the socio-political divisions are apparent. Yet it requires scrutiny of the social fabric, the political landscape of the country and political power dynamics so as not to exclude any social group from the dialogue and not to double count others. For instance, some argue that women and youth groups should not be considered as constituents but as selection criteria for the participants from the other constituents.

The constituents are then further divided into sub-categories based on objective criteria agreed by stakeholders. The purpose here is to narrow down the bigger constituents into groups so that the size of participants would be determined accordingly at a later stage. For instance, political parties could be categorised into groups based on their seats in the parliament, their popularity, year of establishment, level of participation in past elections etc.

The third step would be agreeing on the size of the forum at all levels. The size of the national conference (Plenary or General Assembly) is determined by many factors and could range from few in numbers to more than a thousand. If there were no regional and grassroots consultations being taken place, the conference of the ND would have a larger number of participants. For example, the national conference brought 1,518 participants in Mali ND Conference (1991), 1200-1500 in the Iraqi National Conference (2004), 565 in the Yemen ND Conference (2014) and 502 in the Afghanistan Constitutional Loya Jirga (2003–2004). Whereas in Sudan's ND (2014-16), even after three rounds of consultations, close to 225 participants attended the General Assembly drawn from political parties, armed movements, national figures, and community leaders.

However, in countries where ND was restricted only to the political figures and elite groups, participation in the ND was limited in numbers. For instance, the participants in the ND were only eight in Kenya ND and Reconciliation, 25 in Tunisia's ND, 74 in Colombia and 84 in Guatemala's Peace Process. Similarly, in South Africa, the Plenum was attended only by 208 participants from political parties including political groups, national and homeland government representatives, and traditional leaders (Blunch et al, 2017, 293). In such elite led dialogues, public participation was highly restricted and consultation with the community was only informal and indirect such as through civic societies, media, or online platforms. For instance, in South Africa, facilitators have created platforms

where everyone could submit proposals to the technical committees and the commissions, and media representatives and public liaison officers were allowed to attend the meetings of the Negotiating Council. In Kenya, apart from creating a website and conducting regular media briefings on the development of the negotiation, regular consultations with Kenyan civil society such as women's groups, the business community, religious groups, and peace activists were held.

Thus, the structure of the ND (bottom-up vs top-down), the definition of constituents and its sub-categories and the nature of the agenda determine the size of the ND and the consultations to be conducted at different levels. Those NDs which have limited community participation resemble a negotiation process than ND proper.

Finally comes the designing of methodology and selecting the actual participants of the dialogue. Different methods are proposed including selection by the preparatory commission, by the constituents or sub-categories themselves and by a caucus-type gathering. A mix of two or more methods is effectively used in many circumstances. However, it might amount to overstepping its powers if the preparatory commission attempts to select the participants for all groups. Highly organised groups such as political parties, civil society groups, professional associations would have no problem identifying participants through their own internal rules. Yet for deeply divided and unorganised constituencies such as community groups (e.g., women, youth etc), it would be difficult to nominate participants through an inclusive and democratic process. Thus, the preparatory commission should set the general framework of selection such as undertaking consultation with its members, the inclusion of underrepresented groups (e.g., women, minorities, youth, people with disabilities, economically marginalised groups) both in the process and nominees, transparency of the process and possible methods for the selection (Papagianni, 2014,8; Blunch et al, 2017, 86). For instance, in Yemen, each constituency was given quotas of participants, i.e., women (30%), youth (20%) and Southern (50%) that they should include.

A caveat here is that the participants of the ND conference and its different structures and the participants of local consultations should not be selected based on the same criteria and strictness. In matters that require wider consensus and reflection, experts suggest that the preparatory commission should include public consultation and hearing within the design of the ND and ensure conducting discussions on substantive matters at the grassroots level. Assisted by experts and note-takers, these discussions could happen at local, sub-regional and at regional levels and then recommendations would feed into the Plenary or General Assembly. However, in addition to the

formal consultation, methods like media outreach, public campaigns, call for proposals, referendums and opinion polls, meetings in regional headquarters or with specific constituencies, and supplementary regional and community dialogues should be used to enhance participation (Blunch et al, 2017, 111).

7.2. Decision Making Procedure and Consensus Building

Similar to the types of participation, the decision-making procedure at different levels and structures of the NDs – Plenary, working group, local consultation, technical groups etc – is determined by consulting stakeholders during the preparation stage of the dialogue. However, the default rule for any decision making in most NDs is consensus. Even then, when a deadlock occurs and the process risks breaking down, there should be a way out for preserving the momentum and the process such as by voting (Blunch et al, 2017, 102).

Consensus is a decision-making mode that requires parties to agree with a decision. In this instance, parties work together in collaboration to develop an agreement that is satisfactory to all parties at the dialogue table and the dialogue continues until a consensus is reached. The degree of agreement in the consensus varies and does not necessarily mean that everyone in the dialogue should agree with the decision. A general consensus requires all participants to agree, an active consensus is reached when everyone formally agrees with the decision, whereas passive consensus passes even in the presence of recorded dissenters who do not actively oppose decisions. On the other hand, when the preferred level of consensus is hard to achieve and risks prolonging the process, a sufficient consensus or qualified consensus is taken as a deadlock breaking mechanism. A sufficient consensus is reached when the main stakeholders of the conflict agree with the decision and the majority of other participants support it. Whereas, qualified consensus requires a certain number of participants, as agreed in the rule of engagement, to agree with the decision (Blunch et al, 2017, 104).

However, different levels of agreement could be adopted for the various levels and stages of the consultation/negotiation/dialogue conducted within the frameworks of the ND. Decisions at the local consultation level could pass with a flexible level of consensus but at the working groups and national level, more time and engagement should be attempted to lead to a general consensus. Likewise, issues could be deliberated with a set deadline for a general consensus to be reached in the absence of which other forms of consensus such as qualified, passive or sufficient consensus would suffice.

For instance, in the South African MPNP, the mix of general consensus and sufficient consensus was adopted throughout the process but without providing a clear definition to it. However, it was apparent that the agreement of the main parties, i.e. ANC and NP was required, if all the 26 participating parties could not agree on the decision. In South Africa, the decision making for CODESA I was to reach a consensus among all participants. In its absence, it stipulates 'sufficient consensus' as the established rule without defining its meaning but it was apparent that the consensus between the principal parties, i.e., ANC and NP was sought (Mbambi, CODESA I, 76). However, for CODESA II, the two principal parties (ANC and NP) agreed that a 70 per cent majority was needed for all decisions on the constitution while a 75 per cent majority was sought for the bill of rights.

Consensus-based dialogue fosters participants to share information, exchange views, build trust, protect minority groups and discuss policy issues in order to formulate a common decision that every participant can accept. However, consensus building is a tedious and complex process where the outcome reflects only the lowest common denominator, which leaves all parties dissatisfied with it. However, there are procedures that parties can work with such as coalition building, producing a joint draft and working on a one-text draft until the end to expedite the process and overcome the aforementioned challenges (Blunch et al, 2017, 105).

In Yemen, consensus-based decision making was agreed upon but that practically means 90 per cent majority vote to pass a decision in the working groups. In the absence of this, the matter will be referred to the Consensus Committee for it to make some readjustment in consultation with relevant parties and return it to the group which would require a 75 per cent majority vote to pass. If that is not still possible, the matter will pass to the Presidency (the Chairperson of the ND and eight other members) for deliberation and decision. The Consensus Committee in Yemen served as a key deadlock breaking organ that lies outside of the main structure but consists of the presidency, chairman of working groups and technical committees and representatives from civil societies. It did not override the decisions of the working groups but would advise on reaching a consensus among members of the working groups on controversial issues and suggest proposals regarding solutions, consult committee members on controversial issues in order to reach a consensus, coordinate between different working groups, explain the by-laws whenever needed and oversee the implementation of the outcomes (Blunch et al, 2017, 131). Gatson (2014, 4 & 8) also claimed that the Consensus Committee had the responsibility for 'developing the final resolutions and conclusions, including not only vetting for feasibility but also channelling these diverse findings into the

appropriate implementation vehicle' and 'played a pivotal role as a tiebreaker and vetting committee' in the dialogue.

Apart from the main dialogue forums and structure, negotiation and discussion should continue through different formats facilitated by informal groups that would foster compromise, understanding and collaboration on different matters. An ad-hock structure like Council of Elders, Council of Religious Institutions, Friends of the ND, mediation forums, civil society alliance and council of retired politicians etc could also serve as deadlock breaking and bilateral negotiation and mediation forums (Blunch et al, 2017, 129).

Even then, on some matters, voting could be taken as a viable modality of decision making. Voting generally creates a winner/loser type of positioning, undermines creative solutions and risks early dissatisfaction among participants. However, in case of urgency and matters that are not resolved through consensus, voting should be considered as the last option. Decisions could pass through a simple majority (50%+1 of all votes), an absolute majority (50%+1 of all participants), a qualified majority (e.g. 2/3 majority), or golden shares or special veto rights for certain groups.

Conclusion

Designing a good mandate for the commission is not an end. Apart from a smooth structure, there must be an efficient rule of procedure. To embark on with the participants, for the ND to be successful, it must have inclusive participants. There is not a single method of selecting the participants and their size. It is, however, influenced by the overall purpose of the process, agendas for discussion, manageability, etc. Selecting participants is challenging and a political decision but pivotal activity in determining the legitimacy, inclusiveness, and credibility of the national dialogue. In all cases, the rule for selecting ND participants should be agreed upon through consultations with major stakeholders and actors. However, facilitating multiple dialogue forums at local and sub-national level should be considered to broaden participation and enhance the legitimacy of the process. Even then, selecting participants for the local consultation, which could be different from the one used at the grand dialogue, should be agreed upon. A four-step process could be adopted for selecting participants of any stage - determining the constituencies, determining the sub-categories belonging to each constituency, deciding its size – allocating quota and seats, and designing the actual selection methodology of participants.

The other important point is the decision-making procedure and consensus building in a ND. The decision-making procedure should be a result of an agreement amongst the different stakeholders. As much as possible, the procedure should not hold back the process and affect the legitimacy of the outcome of the dialogue. The default rule for any decision-making procedure in a ND is consensus. Albeit consensus is the preferred decision method, it does not mean that it is always possible at all levels. Certainly, there must be a complementary method to break deadlocks.

Moreover, as consensus does not necessary mean that all parties to the forum have expressly agreed to the proposed idea, defining the types of consensuses required at various levels of the dialogue and topics presented is crucial. For instance, a less stringent decision-making procedure could be adopted for the local level consultation compared with the high-level discussion in the working groups or plenary. The latter requires so many concessions, compromise, and side discussions to fine-tune the final recommendations, and time should be given for parties to reposition and understand each other. Even then, in the event of deadlock, techniques such as bilateral discussions and assisted mediation should be employed before moving into voting type decision making.

8. Role of Stakeholders

As the name itself indicates, a ND involves discussing a wide range of issues that are contentious in nature and concern all citizens of the nation. As a result, although there should be an overarching institution to spearhead the procedure and monitor the performance, numerous institutions are involved in the process.

8.1. Government

In most NDs, the government has a dual role in the process. First, it has the mandate to run the day-to-day government activities that include ensuring the presence of enabling environment to conduct a fruitful ND. Secondly, the party or group that has created the government is the principal participant of the ND along with other political groups. The discussion in this sub-section is about its former role, i.e., creating the enabling environment for the operation of the dialogue.

(a) Trust building

Conflicting parties participate in the ND with the belief that the government would commit to the outcomes of the dialogue and play a leading role in enforcing the recommendations. Marginalised communities and political groups in a conflict-prone country charge government for intimidating and harassing their supporters, restricting political movements, media censorship, restricting media

reporting etc. These might be the causes that necessitate the ND and one would expect the government to show signs that it is committed to transforming the political landscape after the dialogue. This starts by allowing free and peaceful political and social activities unless it harms the very essence of the dialogue.

The major opposition parties in Sudan presented preconditions for their continued participation in the ND that are related to trust-building measures and the creation of a conducive environment for the dialogue. The conditions include granting public freedoms, the release of all political detainees, the ceasefire in war zones, and the establishment of a transitional government to oversee the Dialogue (Saeid, 2017). However, the continued intimidation of independent media, arrest of political party members and suppression of freedoms forced major oppositions blocks to withdraw from the ND process early on.

Another form of trust-building is ensuring the functional and operational independence of the ND in general and facilitators/conveners. Any form of interference or perceived interference in the performance of the ND by the government undermines the credibility and integrity of the process and may lead to the withdrawal of major actors and loss of public support for the process.

(b) Cessation of hostilities and ceasefire

If there is an armed struggle within the territory, the government is bound to declare a ceasefire and persuade the armed groups to lay arms and give peace a time. It is a generally held opinion that a ND should aim at ending a conflict and reintegrating the conflicting parties within the socio-political lives of the country. That is why the presence of armed conflict is taken as one of the major triggers that necessitate a ND. Paffenholz et al (2017) noted that one of the success factors of NDs is the inclusion of key national elites, both unarmed and armed, significant opposition parties and, occasionally, the military, over and above other representative groups.

In Sudan, while the dialogue was happening in Khartoum and despite the ceasefire announced by the government, fighting had continued with armed groups in Darfur, Southern Kordofan and the Blue Nile. The government of Sudan was accused of conducting aerial bombardments and shelling of positions of armed groups that should have been made a party to the dialogue. The situation had forced armed groups and peaceful political groups either to reject or withdraw from the dialogue process. Similarly, the ND in Cameroon was marred by continuous hostilities in the Anglophone provinces whose main actors boycotted the dialogue. In Yemen, although the government promised

to cease hostilities with Houthi rebels of the North, the latter has continued to strengthen their positions, gain territories and finally advanced toward the capital Sanaa. As a result, the much-anticipated ND failed to conclude let alone implement the recommendations.

Thus, when there is an armed group operating in the country, the preparation stage of the ND should enable the conclusion of a peace agreement that would ensure the participation of the group in the process. This might involve rounds of bilateral negotiations or mediations in a neutral forum (often in a neighbouring country) and agree on the terms of their participation in the process. For instance, the facilitators of the ND in South Sudan travelled to South Africa, Sudan and Ethiopia to meet opposition leaders and political elites in exile in an attempt to convince them to participate in the process and address their concerns. In addition to ensuring the participation of the armed groups, ending hostilities would enable communities in the conflict zones to access humanitarian support and participate in the dialogue process.

In South Africa, political parties and the government signed the Peace Accord that requires them to stop the use of arms and engage peacefully in the dialogue process. Despite the dialogue taking a longer time, the mechanisms placed by the Peace Accord helped to pacify the hostilities and protect against further bloodshed.

(c) Enforce rule of law and ensure good governance

Along with the ND, it is vital to remind that the daily routines of the government should move unabated. This includes strengthening democratic institutions such as courts and law enforcement organs. The presence of a strong government that enforces the laws throughout the territory is an assurance to actors that participating in the process would not undermine their interests and subject them to arbitrary detention or arrest. This itself builds confidence in the process and trust between the public and the government. Equally, political institutions that participate in the dialogue would expect that they are bound to benefit more from the ND than through conflict and other means.

(d) Provide funding and logistics

Allotting enough finance also signals the commitment of the government towards the dialogue. Even the most expensive ND is ultimately cheaper than any other form of intervention that comes after conflict. Although funding might be drawn from international partners and donors, the government should take this as its own activity and provide finance and logistics for the ND. However, the office of the ND and government can work together in searching for grants and funding for its activities.

Note also that the availability of funding and ability to determine expenditure indicates the operation and structural independence of the ND.

The government should only act as a party to the dialogue as ownership rests on the public under the guardian of the conveners. Yet funding is principally obtained from the government treasury putting the forum under the sphere of influence of the government and the ruling party. However, in most instances, a multi-party dialogue has been used to monitor the logistics requirements of the ND to reduce government influence. Furthermore, the international community, local civic societies and businesses have invested and supported the process through the provision of technical, financial and logistics support. Local discussion forums and advertisements were generously funded by non-governmental actors in South Africa. Technical experts were hired by the international community to support the dialogue in Yemen. Thus, the financial independence of the forum from government influence could be ensured by a stronger secretariat office, international support and establishment of a multi-party monitoring body.

8.2. Political Organisations

Political parties and organisations are the main participants of any ND. Their role is determined by the nature of the agenda and their capacity and support base.

For instance, in South Africa, although there were close to 26 political parties and institutions participating in the dialogue, the African National Congress (ANC) and the ruling NP were the major and decisive actors in the process. ANC had a stronger social base among the black communities that make up to 80% of the population and has been the front challenger of the apartheid regime both in political forums and armed struggle. Equally, the ruling NP had significant support from the white population that was in control of the major economic and political lives of South Africans. Although not written, any agenda item or decision supported by the two principal parties was considered good enough to define consensus in the rule of engagement. The practice has forced other political parties with a lower support base to form strategic alliances to challenge the views and positions taken by the two principal parties.

The discussion in Sudan attracted the participation of many political parties. According to the 7+7 rule, members of the opposition and the ruling party were chairing and co-chairing the seven sub-committees. However, some political parties charge the government for neglecting powerful and

widely supported political parties and embracing political parties that are affiliated to the ruling party or established as counterparties by the then government.

However, there should be a minimum rule of engagement for political parties to observe during the process such as the cessation of hostilities, suspend armed struggle, respect for rule of law, and positively participate in the negotiation process. There are also instances where plenary would be established composed of political parties

As the main actors of the ND, political parties should get the chance to participate in the agenda-setting, the definition of procedures, selection of participants, selection of sub-committee/thematic members and the administration of the ND.

8.3. Professional Associations and Civil Societies

A ND is an opportunity to genuinely address the root causes of the existing conflict affecting the country and to hear local concerns with sincerity and credibility. Institutions with formal structure and broader social base are best positioned to galvanise social support for the process and use their accumulated resources and wisdom to discharge numerous roles, such as:

- Ensure that the process has local support
- Influence major actors in the conflict to remain in the process
- Support the awareness creation process
- Act as facilitators
- Technical support to the main body that – training was offered by the
- informing the public to ensure inclusivity, credibility, and transparency of the process and the commitment of the Government to consider its implications with the clear objective of serving the overriding interest of the nation;
- challenging communities to serve as agents of the required transformation, by owning the resolutions of the ND, and assisting in their implementation; and
- identifying creative ways to harness internal resources, as part of collective responsibility, to rescue their country and set it on a new path of socio-economic recovery and development.

In South Sudan, once the Sub-Committees were established, a series of seminars were organized in which experts were invited to offer expertise on how to conduct consultations and share the lessons

learned from other NDs. Deng (2017) noted that these seminars were very useful in preparing the Sub-Committees for the regional and grassroots consultations and reinforcing the fundamental principles to be observed to ensure the success of the process. Furthermore, after the conclusion of the ND Conference and in the absence of permanent organs to monitor its implementation, the ND officially dissolved and handed over the custody of the ND documents to the University of Juba, Sudd Institute and the Ebony Centre (Mayai, 2021).

In the absence of a defined procedure for public participation in the ND, these civil societies and professional associations serve to bridge the gap between the public and dialogue participants. In Kenya, for instance, civil societies and professional associations were called for consultation but not the general public to discuss the process and outcomes of the negotiation.

The Consultative Business Movement (CBM) of South African businesspersons, as an unpolitical institution, have supported both the CODESA and MPNP through facilitating talks for a negotiated constitutional settlement, highlighting business interests in the process and organizing consultations between business leaders and representatives of different political actors. More importantly, the group's Executive Director, Theuns Eloff, served as head of the secretariat for the peace process for CODESA and the administration of the MPNP. As a trusted actor during the process, CBM provided substantial input in terms of good offices and shuttle diplomacy and economic reconstruction in post-Apartheid South Africa (Handbook, 78). Similarly, the determination, togetherness, commitment, and leadership demonstrated by the Quartet of Tunisia was able to break the deadlock and foster consensus during the dialogue.

Likewise, in the early stages of the process, South African churches, civil societies and labour unions have organised peace forms and attempted to mediate the parties which have contributed to the signing of some foundational documents including the National Peace Accord (NPA) where more than 40 parties pledged to end political violence (NPA, 1991). However, their influential role had diminished as the matter gets very technical and partisan. Even then they have galvanised their members and constituencies at the grassroots level to support the convention, submit feedback and closely follow the process.

In Guatemala, the Assembly of Civil Societies (ACS), a coalition of nearly all social groups including political parties, NGOs, religious institutions, academicians, media organisation, advocacy groups, trade unions and research institutions, have got legitimacy and conducted extensive public consultations and forwarded its outcomes to the main dialogue table. In Lebanon, the Common

Space Initiatives have provided vital technical and logistical support to the dialogue (Blunch et al, 2017, 131).

8.4. Community Groups

These are the wider national groups that are considered to be the co-owners of the national process. These include women, youth, minority groups, religious institutions, elders and even diaspora communities.

The participation of women and youth groups in Yemen's dialogue was considered a breakthrough in men dominated public sphere that has challenged the status quo. Local clan leaders (Guurti) and elders in Somaliland had played a significant role in structuring the dialogue, selecting participants and determining consensus. Thus, the number of participants in the dialogue was determined along clan lines and size while non-voting clan members had also served as facilitators of the dialogue (Paffenholz, 2017, 62).

Some countries have also taken the discussion to the diaspora community abroad to garner wider support for the reform, ensure inclusivity of the process and solicit recommendations. For instance, one of the sub-committees in South Sudan's dialogue was specifically assigned to conduct the dialogue with diaspora and refugee communities abroad. Thus, South Sudanese communities living in neighbouring countries of Kenya and Uganda had participated in the preparatory dialogue through direct participation. In Somaliland, the diaspora community had provided funding and political support for the dialogue which was conducted without significant support from the international community. Similarly, the ND in Senegal (2008-09) and Mali have engaged the diaspora communities in different capacities, most notably as participants in the preparation and providing inputs to the thematic topics.

Similarly, religious institutions have provided significant moral support to the ND and pressured political decision-makers to reconcile their differences. Likewise, in the early stages of the dialogue process, South African churches, civil societies and labour unions have organised peace forums and attempted to mediate the parties which have contributed to the signing of foundational documents including the National Peace Accord where more than 40 parties pledged to end political violence (NPA, 1991). However, their influential role had diminished as the dialogue gets very technical and partisan. Even then they have galvanised their members and constituencies at the grassroots level to support the convention, submit feedback on recommendations and closely follow the process.

In the process, the Guatemala Catholic church and the Assembly of Civil Societies played a key role in the peace process in Guatemala. In addition to other fathers serving in a different capacity to support the peace process, Bishop Quezada Toruno of the Catholic church served as conciliator in the National Conciliation Commission, and later assumed the role of facilitator and coordinator of the Assembly of the Civil Societies (Case Study on Guatemala, []). Similarly, religious leaders had a leadership role in many of the francophone national conferences that took place in the 1990s (Blunch et al, 2017, 78).

Religious leaders that are not partisan and involved in the conflict in any capacity are ideal candidates for a facilitation role. They are believed to possess the moral integrity and legitimacy to pressure parties to compromise positions and interests. Furthermore, their extended presence at the community level and experience of the consequences of conflict would commit them to find solutions. They can also preach the value of peace and pressure political decision-makers.

8.5. International Community

As repeatedly mentioned, one of the benefits of ND over other dispute settlement mechanisms or conflict containment procedures is the local ownership of the process. It is widely understood that local ownership does mean that the international community does not have an interest and role in the ND as long as control over the process and outcome remains within the national actors. Odigie (2017, 27) noted that:

while national ownership of a process is fundamental, there are critical points at which the international community can provide important assistance – such as in helping to negotiate the initial agreement that establishes a national dialogue; making public statements in support of national dialogue processes; advocating for an inclusive and participatory process; and commitment to the dialogue process by national actors and stakeholders.

However, it is very important to manage and withstand foreign interferences directed at the substances of the discussion and outcome. This is because not all international actors are clean and operate in the best interest of the host communities. Local actors should be equipped with the necessary skills and determination to manage and coordinate foreign influences that might intervene in the process. Thus, participants of the dialogue should define the role of international communities and design platforms to best benefit from the accumulated resources. One way of doing this would be to limit any logistical support to be directed at the legit body established to coordinate and oversee the ND, and not to participating parties unless agreed in advance. Establishing a coordination

office to reach out to the international community and present them with the types of support required would be beneficial.

(a) Political support

Regional and international actors could play a vital role by announcing their support for the process which indicates that the international community is watching the process closely and supports the outcome. In such instances, the international community plays the role of enabler by a threat of embargo or sanction, or promise of debt relief, assistance packages and normalisation of relations. An economic sanction by the international community has forced the Apartheid regime of South Africa to engage in a constructive dialogue with other political actors. Similarly, international financial institutions promised financial support for Sudan if it could end the conflict through ND and Germany facilitated for the opposition parties to participate in the preparatory process. On many occasions, the UN and regional organisation have issued resolutions in support of the process such as in Yemen, Mali, Libya, Syria etc. During the process, these parties could also serve as deadlock breakers and provide the incentive for parties to remain in the process. The regional coalition of ECOWAS has been supporting NDs in its member states including Guinea (Odigie, 2017, 27)

Evidence shows that ND is the most cost-effective and nondisruptive way of settling a conflict and the international community supports it more than any other intervention like sanctions, armed intervention, and humanitarian interventions (Blunch et al, 2017, 160). Conversely, some international entities may act as 'disablers' by hardening the positions of conflicting parties and increasing geopolitical competition.

(b) Financial

ND requires substantial funding that local resources would not be able to match. The costs of running a secretariat, commissioning expert groups to study the nature of conflicts, condense recommendations and thematise issues, paying for participants. Conducting local level discussions in as much wider areas as possible also requires funding. Many rounds of meetings are held between major participants. Thus, international/regional communities have contributed significantly towards these costs either directly through a trust fund as in Yemen and Kenya or indirectly through local mechanisms in support of the political process. The ND Conference in Yemen cost US\$ 37 million which was raised by international communities. Some of these funds are also required during the implementation phase to institutionalise the recommendations and outcomes of the dialogue.

During the ND in South Sudan, most of the funding and technical support for running the dialogue was provided by the governments of Japan and Germany, the United Nations Development Programme (UNDP), UNESCO and UNMISS (Vhumbunu, 2018; Clayton H, 2018)

An international trust fund managed by the preparatory commission chair and one representative from donor groups worked well in Yemen and other countries. The fund could attract wider support from international communities and there would not be a risk of funding unintended activities. Furthermore, the consultation process could be expanded to reach wider communities based on international standards.

(c) Technical support

Although the idea of ND is the one that takes local context and uses indigenous methods of dialogue, international knowledge, skills and experiences are important for running a successful ND. Such experiences include designing the dialogue, deadlock breaking, dialogue skills, comparative experience, mobilising local support, inputs on technical issues etc. Such technical support could be offered directly to the body that runs the dialogue, as expert advice or to major participants. In some dialogues, a Friends of the Dialogue group was established by local and international experts to provide packages of training, tool design, documentation etc. In other circumstances, UN agencies and other international organisations provide the resources and data needed to feed the recommendations.

(d) Observer and guarantor

When external actors are invited to attend the dialogue without having no role in the substantive discussion, they act as observers and guarantors of the process. This is one way of engaging the international community to build trust among actors, create enabling environment for a fruitful discussion and maintain the momentum in the process. UN and regional organisation have appointed observers in many dialogues such as in Yemen, and Guatemala and observe the legitimacy of the process and then outcome.

(e) Facilitator

International institutions have also served as facilitators in the process directly or indirectly. In the extreme case and in the absence of trust between major conflicting parties, there were instances where international/regional communities have spearheaded the ND. AU bodies in Kenya and Sudan, and the UN in Libya have all acted as direct facilitators of the ND to build trust among conflicting

parties and run the dialogue. However, in most cases, these international bodies act in the background to facilitate side meetings and shuttle between parties to pacify their positions. Perhaps, the facilitation role of foreign actors is the last resort in any ND and should be minimised to give way for the national ownership of the process.

Conclusion

It is repeatedly mentioned that the participation of as many interest groups as possible will enhance the quality and credibility of the national dialogue. Participation could be either as part of the decision-making process or as an entity that supports the activities of the main body.

The first stakeholder in a ND process is the government. In the process, the government has a dual responsibility: as a party to the dialogue and a group that has established the government. This special status of a government should not be taken as a pretext to devoid the participatory nature of the ND. In this sense, the government must carry out trust building measures including cessation of hostilities and ceasefire, expanding the operational environment for stakeholders, and allow expression of concerns and grievances. Holding a ND does not mean that rule of law has ceased operating. Therefore, the government should discharge its responsibility of defending rule of law. Moreover, to respect the independence of the commission truly, the government as much as possible should allocate the necessary budget and provide logistics free of any string.

Apart from the government, other stakeholders in ND such as political actors, professional associations and civil societies, community groups, and international community have significant role in the process. It is only the unreserved participation and concerted efforts of all these parties that a successful ND could be build. There are different models on how these groups could be integrated into the process. Enhancing consultation and discussion among the various community groups requires, among other things, utilizing the existing local forums and infrastructures that have long been used for addressing socio-economic matters. This includes forwarding the national dialogue agenda to local forums, traditional institutions, inter-religious council, council of political parties, professional associations, and labor and employers' associations etc.

A caveat here is defining the role of international community. On one hand a ND should owned by local actors and all substantive decision makings should be immune from foreign interference. On the other hand, the national dialogue should benefit from the technical knowledge and experiences, the financial resources and political and diplomatic power accumulated in the hands of international

community. Thus, the ND process should initiate guidelines and approaches to coordinating and soliciting international support and how these supports could be monitored and channeled to the benefit of the process. Such might include identification of the support required (finance, technical, diplomatic and political), conduct series of campaigns to brief international communities, reach out the UN, the EU and the AU agencies working on peace and security, and establish an international support coordination team within the main body.

9. Implementation Plan

The process of signing an agreement at the end of the ND or concluding the grand ND conference or writing the Final Report or Communique of the ND does not end the ND process but opens another phase of a complex process. The implementation stage of the ND is mostly built upon the processes and modalities which were employed to build consensus during the dialogue. It, however, takes a longer time, enormous finance, and unreserved support of all parties.

Risks associated with the implementation of a ND outcomes includes shifting attention quickly away after the agreement or final dialogue and considering the final outcome as an end. However, implementation designs should be included either within the mandate at the beginning of the process or at least within the final recommendations. This includes agreeing on the guarantors for the implementation of the outcome and monitoring mechanisms. After a ND, expectations are always high and designing long term and short-term implementation plans according to priority subjects are vital to manage expectations.

(a) Tangible and intangible outcomes

ND outcomes are of two types: tangible and intangible. Intangible outcomes are more subtle manifestations that were not originally planned but emerged organically from the dialogue. They dictate the change in relationships or an emerging culture of dialogical exchange. It may take time to emerge as a trend and are crucial for creating a better society of the outcomes. These include the emergence (or revival) of institutional and civic culture in dialogical exchange and consensual decision-making; relationship (re)building; creativity and innovations in forms of managing conflict; nuanced perceptions of local and national issues; improved skills, modes and motives for communication, joint-learning, and knowledge-sharing; and breaking of taboos (Blunch et al, 2017, 150). In some instances, even if consensus was not reached on major topics or implementation was compromised due to many reasons, the success of the ND could be measured based on its intangible

outcomes that might have transformed the society (groups) for good or improved their understanding of each other. (Blunch et al, 2017, 155).

Tangible outcomes, however, emerge from the agenda and are well deliberated in the process. These outcomes are enshrined in the final document that takes the form of either an agreement or a soft document. This may include a political change, constitutional change, human rights regulation, security transition, social and economic reforms, and dealing with the past and transitional justice.

(b) Implementation mechanisms

There are three approaches to the implementation of the outcomes of the ND. The first one is extending the existence of some structures of the ND to carry out or oversee the implementation of the recommendations. The second option is intrusting the task of executing the outcomes of the ND to an elected government through its different departments. The other modality is establishing independent organs with defined objectives, mandates, and rules of procedure to implement the various outcomes of the dialogue. There is no single perfect approach to implementation and countries often adopt a mix of the above. For instance, different countries have established specialised institutions that would implement the elements of the recommendations.

- Transitional or unity government (e.g. Kenya, South Africa)
- Constitutional Assembly,
- Truth and reconciliation commission (e.g. South Africa, Kenya)
- Historical clarification (e.g. Guatemala)
- Regional boundary demarcation commission
- Independent electoral commission/board (e.g. Tunisia)
- Independent broadcasting organ (e.g. South Africa)
- Special tribunal for the investigation of atrocities (e.g. Kenya)

The ND would come up with a detailed design, structure, and rule of procedure for the newly established organs. For instance, in the case of the Constitutional Assembly, it would enlist the basic principles on which the constitution would be drafted and determine the members of the assembly or the rules through which they will be elected.

However, tangible implementation mechanisms should be in place than a mere commitment to implement it such as the wording in the road map for Sudan's dialogue that claims the will of the Sudanese as the prime guarantee of the implementation of the outcome of the Conference. Such

soft and non-measurable safeguarding mechanisms casts doubt on the political will of the incumbent government and retards the engagement of political decision makers in the process.

(c) Designing guarantors and monitoring mechanisms

It is equally crucial to think about guarantees and monitoring mechanisms of the outcome early on in the process. This encourages parties to engage in the process wilfully, create mutual trust and guarantee that the implementation would not be hampered. Guarantees could be an extension of the safeguarding mechanisms created during the process. International actors are also called to assume neutral third-party guarantors and monitors. Depending on the level of trust among the dialogue participants and the (perceived) vulnerability of agreements, sanctioning measures can become part of guaranteeing implementation (Blunch et al, 2017, 153). A strong civil society group, a research organisation or an independent consultant could also be entrusted with the task of monitoring the implementation of the outcomes. A follow-on dialogue or discussion between the major participants of the dialogue is also important to monitor the implementation of the outcome and take corrective measures in case of defaults (Blunch et al, 2017, 154).

To sum up, of the stages of national dialogue, the implementation is the difficult part. If the recommendations are not implemented, it would deny legitimacy for the whole process. It is worthy to state that implementation takes a longer time, enormous finance, and unreserved support of all parties. Akin to the pre-agreement stages, the stakeholders should have all the necessary commitment to convert the recommendation into action. To this end, there must be a clear blueprint for the implementation.

10. Conclusions

National dialogue is not an ordinary solution. It appears to address exceptional circumstances that defies the survival of the state and are beyond the capacity of existing institutions. It is an exceptional and often extra-constitutional process held with the participation of many interest groups. This makes the ND process very delicate and needs a proper management. Hence, the process should mainly be controlled locally and by a body that is trusted by all the participants.

However, it is necessary to underscore that a ND is not a panacea. It is just a means used to find out feasible solutions for the problem that the country is facing to continue as a political polity. Stated differently, holding a ND is not an end per se. The end goal of the ND, inter alia, is to bring reconciliation amid different factual and interest groups.

ND is a multi-state process that involves preparation, dialogue and finally implementation stages that should be crafted and executed prudently. Often, there is a wrong perception of treating the preparation stage as less important stage. However, the preparation determines the final destination and original legitimacy of the dialogue. Hence, the activities carried out in the preparation stages should be governed by principles such as inclusivity, participatory, and manageability as is the dialogue and implementation stage. In all its activity, the institution that oversees the process should maintain its actual and perceived independency. Then comes the integrity, objectivity and personality of conveners and facilitators of the ND. Hence, utmost care should be given in the selection and appointment of the conveners and facilitators of the dialogue.

Although defining or measuring it is a complicated fact, there are some factors that have implication on the success and failure of a ND. As thoroughly discussed in the research, these factors are related to the political context of the country, the process and design of the national dialogue, and the commitment and practical implementation of the terms of the agreement. Moreover, in the whole processes of the national dialogue, it is very indispensable to look into local context. Except the main principles like making the process participatory, and inclusive, factors that work in the positive or negative way may not have a similar effect in other country. Hence, it is always necessary to make a local adaptation when experience is shared from other NDs.

Despite these principles, structures, decision making procedures that determine the success of a national dialogue process; either positively or negatively, their application should not necessarily be uniform throughout all nations. The application of the common principles should be adopted in light of the different fabrics of the country where they operate. Although theoretical principles and experiences drawn from other countries, as presented in this report, could be used in defining the rules of procedure, the context of the country and the interests of principal participants of the process should be used as guiding principles. Flexibility and adaptability of the process and parties to the dialogue is the other virtue of a ND, and if employed carefully could garner parties to the required consensus.

Thus, the major participants of the ND should be engaged in a mini-dialogue process to define the agenda and structure of the dialogue, rule of procedure, decision making protocols, type and number of participants, role of stakeholders and trust building measures etc. These should be accomplished during the preparation stage of the dialogue and could be used to create understanding and build trust and confidence among the major actors. As repeatedly discussed in this document, the

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conveners should ensure that parties are holding together until the end and not withdrawing at the early stage of the process.

Finally, it is necessary to stress that reaching an agreement after the dialogue should not be taken as the final stage. The concerned organs should exert all the necessary effort for the implementation of the terms of the agreement. Unimplemented term of negotiation is tantamount to a mere wish.

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