NOTE FOR USERS

The purpose of the Handbook is to provide a resource for practitioners on the important areas to focus on in the planning and execution stages of a NPD. The Handbook seeks to inform potential dialogue participants, parties actively involved in organizing or conducting an NPD, parties seeking opportunities for NPD participation, and practitioners advising their own organizations or constituents about NPD processes.

State practice shows that NPDs based on broad political settlement and inclusiveness are the most likely to succeed in facilitating lasting political reform and durable peace. However, because there is no “perfect” model for a NPD, the Handbook seeks to serve as a guide to illustrate a range of best practices and principles for designing and carrying out an NPD. Though its scope is broad, the Handbook does not purport to address every issue or alternative that may arise while during a NPD. Instead, the Handbook is meant to serve as a starting point for its users to help inform decisions on engaging in NPD processes.

The Handbook may be read in full to provide a comprehensive overview of the key practices and principles for parties to consider when planning and carrying out a NPD. Alternatively, the Handbook is also designed so that each chapter can stand on its own to assist users who may only have time to read individual chapters, or that may only be interested in only specific topics.
EXECUTIVE SUMMARY

Over the past three decades, states emerging from internal conflict have increasingly turned to national political dialogues (NPDs) to achieve durable peace and comprehensive political settlements. NPDs are inclusive and participatory mechanisms for political and social stakeholders to negotiate political transitions. NPDs take various forms because every state, conflict, and peace process involves a unique set of circumstances. NPDs may differ in their mandate, size, level of inclusiveness, and role(s) within a state’s broader political transition. Numerous states around the world have conducted NPDs in various forms, including: Guatemala, East Timor, Nepal, the Democratic Republic of the Congo, Niger, Mali, Kenya, Rwanda, Afghanistan, Iraq, and Yemen.

Once parties to a conflict have made a commitment to peace, they often agree to resolve the outstanding issues of the political transition through a participatory dialogue process. The design and preparation of a NPD is the crucial first step to carrying out this process. Though the design of a state’s dialogue will differ according to the particular context of a particular state, the most successful dialogues share several key features and objectives, including a strong mandate with well-defined goals, inclusive and participatory processes that are jointly-owned by all major stakeholders, and public buy-in and acceptance of the dialogue process. The most effective way to ensure that a NPD fulfills these characteristics of a successful dialogue is through careful preparation and design.

This Handbook explores the various aspects of planning for and carrying out a successful national political dialogue as part of a broader peace process and political settlement effort. Planning a NPD involves focusing on key elements and considerations for during the preparatory stages of a NPD, such as establishing dialogue guarantees, forming a preparatory committee, setting an agenda for discussions, selecting participants, establishing a governance structure, and engaging in public outreach. Conducting a NPD involves key elements of carrying out the dialogue discussions, including the structure of the talks and division of work, seeking support from international actors, managing dialogue logistics, administering internal governance structures, encouraging internal decision-making and consensus building, and finalizing outcomes and recommendations. The Handbook addresses each of these elements to help practitioners design and carry out a dialogue that can lead to the implementation of meaningful outcomes.
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CHAPTER I:
GUARANTEES

Introduction to Guarantees

For parties preparing for a national political dialogue (“NPD” or “dialogue”), two of the most important concerns are to facilitate a meaningful dialogue and ensure that effective implementation processes support the dialogue’s outcomes. Parties can help address both of these fundamental concerns by providing guarantees for the NPD process. Generally, guarantees are mechanisms that help to hold parties to their commitments to a NPD, its processes, and its outcomes. Guarantees can also establish specific requirements to guide parties through the NPD process, to help ensure a meaningful outcome. Dialogue guarantees can further extend to provide assurances for a dialogue’s functions, outcomes, inclusiveness, and meaningfulness. Because guarantees support some of the most fundamental requirements for a ‘successful’ dialogue—meaningful discussions and effective implementation of outcomes—establishing means of providing NPD guarantees is often one of the first steps in planning a NPD.

Parties to a dialogue most commonly provide guarantees in a NPD framework agreement or in a broader peace agreement. Within these agreements, the common approaches for providing NPD guarantees include: (1) making general declarations of commitment; (2) establishing preparatory committees; (3) creating clear and concise agendas; (4) setting timelines; and (5) seeking strategic involvement of outside parties.

General Declarations of Commitment

One primary function of any NPD guarantee is to publicly commemorate the parties’ commitments to engage in the NPD process. Because of the public nature of these commitments and parties’ common interests in maintaining perceptions of legitimacy and good faith, general declarations of commitment can help compel parties to remain involved in meaningful dialogue and implementation processes. Parties often include these general declarations of commitment in peace agreements or NPD framework agreements to encourage the broad participation of many stakeholders in the dialogue process.

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**General Commitments in Peace Agreements**

Parties to a NPD often provide language declaring their general commitments to the NPD process within a peace agreement. The details and specificity of these general commitments may vary according to parties’ needs or the context of the agreement and dialogue. Regardless of the scope of general declarations of commitment, their inclusion in a peace agreement may compel their implementation by binding them to the terms of the broader peace agreement.

For instance, the Lusaka Ceasefire Agreement for the Democratic Republic of Congo included a declaration from both parties to the ceasefire to engage in the Inter-Congolese Dialogue (ICD).\(^2\) The parties to the Lusaka Agreement provided a general declaration of their commitments to adhere to key principles and guidelines throughout the dialogue process.\(^3\) Through the peace agreement, the parties guaranteed the inclusiveness of the dialogue by identifying the participants, granting the participants equal status in the dialogue, and endowing the NPD with binding authority on the participants.\(^4\) The Lusaka Agreement also created selection procedures for a facilitator and outlined a preliminary agenda for the NPD, further guaranteeing the timeliness, meaningfulness, and inclusiveness of the dialogue.\(^5\) The general declarations of commitment set forth in the Lusaka Agreement helped to provide guarantees for the dialogue by forming the framework for a subsequent ICD while allowing the participants significant discretion on the content of the dialogue itself.

**General Commitments in NPD Framework Agreements**

Instead of making declarations of commitment through a broader peace agreement, parties may set out general commitments for a dialogue in a NPD framework agreement. Framework agreements generally establish broadly agreed upon principles and agendas for more detailed negotiations and procedures for a NPD. In South Africa, after the signing of the National Peace Accord, the government organized the Convention for a Democratic South Africa (CODESA)—a comprehensive political dialogue—through a separate dialogue

\(^3\) *Lusaka Ceasefire Agreement: Annex A*, arts. 5.2–5.6 (Democratic Republic of Congo, 1999).
\(^4\) *Lusaka Ceasefire Agreement: Annex A*, arts. 5.2 (Democratic Republic of Congo, 1999).
\(^5\) *Lusaka Ceasefire Agreement: Annex A*, arts. 5.3–5.5 (Democratic Republic of Congo, 1999).
framework agreement.\textsuperscript{6} As part of the CODESA agreement, the parties provided guarantees for the dialogue by signing a “Declaration of Intent” to declare their commitment to the dialogue process.\textsuperscript{7} The Declaration of Intent commemorated the parties’ “solemn commitment” to, among other things: heal past divisions, establish a free and open society, draft a new constitution, use the dialogue as a mechanism for democratic change, and establish a mechanism for implementing the dialogue’s outcomes.\textsuperscript{8} In addition to helping to tie the NPD process to the broader peace process, these general declarations of commitment helped to guarantee that the dialogue adhered to a core set of objectives, as well as the parties’ obligations to pursue meaningful outcomes.

**Preparatory Committees**

Preparatory committees, which help design a framework for a NPD, can provide important guarantees for a NPD by making logistical and procedural arrangements for the NPD process. The efforts of a NPD preparatory committee can help ensure a dialogue stays on track and focused on its mandated objectives.\textsuperscript{9} Preparatory committees also support the guarantees established in peace agreements and framework agreements by executing the technical and logistical aspects of an NPD.

Typically, preparatory committees have a mandate to determine a NPD’s membership and selection criteria, set an agenda for discussions, create a dialogue support structure, and perform other administrative or logistical tasks.\textsuperscript{10} All of these are important for guaranteeing the functioning and effectiveness of a NPD. For instance, Afghanistan’s Bonn Agreement contained provisions for a special independent commission of 21 members that would adopt and implement procedures for selecting participants to the dialogue and constitution-drafting

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\textsuperscript{8} *Convention for a Democratic South Africa: Declaration of Intent* 268 (South Africa, 1991).


committees. Similarly, the Yemeni government and political parties tasked the president of the unity government with forming a technical preparatory committee to design and convene Yemen’s National Dialogue Conference (NDC). In both Afghanistan and Yemen, the preparatory committees helped guarantee that the dialogues were inclusive and representative, that they ran smoothly, and that they focused on their respective key objectives.

Preparatory committees may further support the achievement of NPD guarantees by including all parties in the preparation process and enhancing the legitimacy of the dialogue. When parties mutually establish a preparatory committee to facilitate broad-based membership in a NPD, they can enhance the effectiveness of the dialogue because participants are representative of the varying political and cultural groups. A comprehensive representation in the preparation of the dialogue can provide more groups with a sense of ownership and involvement in a dialogue process, which can help provide guarantees for the dialogue and its outcomes. In contrast, allowing one party to unilaterally control the conditions of the dialogue can make the dialogue less meaningful.

For instance, the King of Bahrain decreed, prepared, and called for each round of the NPD process, rather than establishing a representative preparatory committee. The dialogue quickly collapsed after the parties disputed the structure and agenda for the talks. Eight months later, the King designated the Prince to start the dialogue again, but the process continued to struggle. Bahrain’s attempts at a national dialogue suffered from the lack of representative preparatory committee and thus did not have the same important dialogue guarantees as provided by the preparatory committees in Afghanistan or Yemen.

**Agendas**

11 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) arts. IV(1)–(4) (Afghanistan, 2001).
NPD agendas refer to a comprehensive list of issues and topics for discussion during a dialogue. Establishing an agenda for a NPD can decrease uncertainty during the dialogue process and help guarantee that the dialogue moves forward. Additionally, a focused agenda can also guarantee a successful dialogue by ensuring that NPD only addresses political issues that lend themselves to resolution through large-scale public dialogues. The framework for Kenya’s National Dialogue established a simple, four-point agenda. The National Dialogue focused on (1) ending violence; (2) addressing the humanitarian crisis; (3) overcoming the political crisis; and (4) addressing a limited set of long term political goals, such as constitutional reform, land reform, poverty, development, national unity, and government accountability. This four-point agenda helped keep the talks focused on a core set of reasonable goals and feasible tasks. Ultimately the level of detail and specificity of an agenda can vary significantly according to the needs of the parties involved in negotiating the agenda.

An overly complex or detailed agenda can compromise the flexibility and functionality of a dialogue, limiting an agenda’s ability to help guarantee a dialogues focus on its key objectives. Yemen’s National Dialogue Conference (NDC) had an expansive agenda, including items that may have been more effectively addressed at policy or legislative levels. The NDC’s Technical Committee (TC) identified thirteen major topics of discussion to include on the agenda. Each topic was broken down into dozens of sub-topics not necessarily linked to the peace process or longer-term transition initiatives. The TC tasked the topics to nine thematic working groups. Yemen’s expansive agenda ultimately led to multiple delays in the NDC, created tensions among the working groups, and prevented the parties from adequately discussing many important issues.

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Timelines

Parties to a NPD can establish timelines to commence a NPD process, keep track of the dialogue progress, and ensure timely a timely conclusion. Including a timeline within a peace agreement of NPD framework agreement can provide important guarantees for the dialogue by further demonstrating the seriousness of the parties’ commitment to engaging in a timely and meaningful dialogue.\(^{24}\) Moreover, realistic timelines can help guarantee steady progress in discussions and deter delays in implementation. This steady progress along an established timeline can also help keep the parties focused on developing and implementing dialogue outcomes.\(^{25}\) Moreover, parties to a NPD can craft a timeline to complement the NPD agenda to help further guarantee a successful dialogue that addresses the key issues facing the dialogue.

*Timely Commencement of a NPD*

One of the most important initial guarantees for a NPD is that the dialogue processes actually begin. Some parties use a NPD timeline codified in a peace agreement or NPD framework agreement to guarantee the timely commencement of the NPD proceedings. For instance, in Afghanistan, the Bonn Agreement required a convention of an Emergency Loya Jirga—a national dialogue—within one month following the establishment of an interim authority.\(^{26}\) Rwanda took a slightly different approach, and pegged the opening of the annual national political dialogues to specific calendar dates each year.\(^{27}\)

*Timetables for NPD Progress*

In addition to guaranteeing the timely commencement of a NPD, timelines can also help to guarantee the steady progression of dialogue.\(^{28}\) The framework

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agreement for Kenya’s national dialogue, for instance, 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. For other long-term issues, the dialogue agreement provided the parties with as long as a year to conduct negotiations. In Yemen, the National Dialogue Conference (NDC) had a six-month deadline to complete the discussions and submit the reports. Though Yemen’s NDC ultimately lasted more than 10 months, the initial timeline did help to motivate the parties to maintain as strict of a schedule as possible. The nine working groups drafted hundreds of recommended outcomes within the six-month deadline, but the incredibly broad range of agenda items proved too burdensome for the NDC to complete all of its tasks on time.

For more information on establishing timelines for NPD processes, especially for purposes of complementing a NPD agenda, please refer to the subsection on “Establishing Timelines and Deadlines” in Chapter 3 on agenda setting.

Involvement of Outside Parties

The involvement of international third parties may provide an added layer of oversight and increase the parties’ incentive to carry out dialogue agreements. Therefore, international guarantors, mediators, and facilitators help guarantee a NPD by increasing international political leverage and pressure on participants to meaningfully engage in the dialogue. Additionally, outside parties can provide further guarantees through facilitative roles to help guide the dialogue process. Common international third parties include representatives of foreign states, non-governmental organizations, or international organizations.

Guarantors

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31 Erica Gaston, Process Lessons Learned in Yemen’s National Dialogue, UNITED STATES INSTITUTE OF PEACE, 1, 3 (Feb. 2014); Presidential Decree No. 27 of 2014 (Yemen, Mar. 8, 2014).
A guarantor is a third party, usually another state, which signs a peace agreement or a framework agreement for a NPD. In doing so, the third party personally invests in the agreement, sometimes assuming responsibilities for addressing violations of the agreement. Guarantors can increase the costs of violating the terms of an agreement, as parties that breach an agreement risk consequences such as the loss of international support or foreign aid.

For instance, the Oslo Accord, signed by the government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), called on the UN Secretary General to act as a guarantor for the parties to comply with their obligations to carry out and implement a NPD. Accordingly, the UN was heavily involved in the Guatemalan Grand National Dialogue, as well as subsequent peace negotiations between the parties, acting in roles such as mediator and observer. Similarly, political parties in El Salvador recently signed a joint declaration committing themselves to participate in a NPD to address the significant issues facing the state. In the declaration, the parties named the Secretary General of the Organization of American States as guarantor of the forthcoming dialogue.

**Mediators**

Mediators often provide a structure and environment for dialogue discussions designed to guarantee a mutually acceptable agreement. Mediators may propose a dialogue timetable, suggest agenda items, and create clear channels for sharing and distributing information between parties, all of which can help to provide dialogue guarantees. During the Kenyan National Dialogue, the African

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Union Panel of Eminent African Personalities, led by Kofi Annan, mediated the dialogue between the two major parties. The Union Panel’s skilled negotiators mediated between the two conflicting parties over the course of the 41-day dialogue and helped them to reach a political settlement. After the dialogue, the Union Panel remained engaged in the process by providing mediation and monitoring support during the implementation of the dialogue outcomes.

**Facilitators**

A third-party without a vested interest can serve as a facilitator in a NPD to provide a buffer between domestic parties who may not trust each other and to help guide discussions or provide logistical support. Facilitators typically remain neutral and do not influence the negotiations, but rather help the parties develop their own solutions and agreements, which can help guarantee an inclusive and meaningful dialogue. After the Lusaka Ceasefire Agreement in the DRC called for a neutral facilitator to lead the Inter-Congolese Dialogue (ICD), Botswana President Ketumile Masire served as the neutral facilitator. After the first attempt at dialogue failed due to technical and financial problems, Masire was successful in consulting and negotiating with the parties to get the ICD back on track.

**Conclusion**

Providing guarantees for a NPD can touch on many aspects of dialogue preparation, and by establishing effective dialogue guarantees, parties can help to ensure an efficient and meaningful dialogue with implementable outcomes. Many of the topics and mechanisms related to establishing NPD guarantees, such as establishing dialogue agendas and involving outside parties, will reappear

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throughout the Handbook and build upon the materials in this chapter. In particular, the following chapter will discuss NPD preparatory committees, which are often involved in establishing dialogue guarantees.
CHAPTER 2: PREPARATORY COMMITTEES

Introduction

In preparing for NPD, parties generally establish preparatory committees to plan for the dialogue process, set expectations, and move the dialogue forward. Through these functions, preparatory committees can provide valuable guarantees for the dialogue, as discussed in the previous chapter. Establishing a preparatory committee is often crucial for a successful NPD and for ensuring a broad representation of society throughout the dialogue process.48 Preparatory committees differ in form and function, and the degree to which key stakeholders or the public perceive preparatory committees as legitimate can impact the success of the NPD process. Moreover, the structure of the preparatory committee, and the breadth of its mandate, can determine the effectiveness and outcomes of the dialogue because preparatory committees can influence the dialogue proceedings through the NPD design.

The purpose of this chapter is to outline the key elements for establishing and structuring preparatory committees, which include: (1) mechanisms for preparatory committee creation; (2) crafting a committee mandate; (3) selecting committee members; (4) structuring a committee and its composition; and (5) establishing the functions of a preparatory committee, including setting agendas, establishing procedures, selecting dialogue participants, providing logistical support, and conducting public outreach and consultation.

Mechanisms for Preparatory Committee Creation

The parties to a NPD generally establish the preparatory committee through a peace agreement or by governmental or presidential decree.49 The establishment of a preparatory committee allows the parties to transfer responsibility to carry out a NPD to a separate entity, and creates an added driving force behind NPD. Without a focused and effective preparatory committee, the NPD process may stall

because of lack of coordination and preparation. For instance, in Bahrain, the King called for two rounds of NPD without creating a preparatory committee. After seven months—24 sessions into the second round of dialogue—the NPD collapsed because parties could not agree on a structure or agenda for the talks.

Preparatory Committee Creation by Peace Agreement

Preparatory committees may be established by peace agreements. In these instances, the legitimacy of the peace agreement establishing the preparatory committee can strengthen the support for the committee as a component of the national dialogue. In Afghanistan, the 2001 Bonn Agreement established the Special Independent Commission (SIC) to convene and monitor the election of the Emergency Loya Jirga dialogue to bring together elders and community leaders from across the country to discuss matters of national importance. The 21-member SIC included lawyers, teachers, professors, former civil servants, and religious figures. In Guatemala, the Esquipulas Peace Agreement—signed by five Central American heads of state—created the National Reconciliation Commission, which was responsible for overseeing preparations for the Grand National Dialogue. The National Reconciliation Commission provided the first formal opportunity for Guatemalan civil society to convene and discuss root causes and possible solutions for the ongoing conflict.

Preparatory Committee Creation by Presidential or Governmental Decree

Preparatory committees may be established by presidential or governmental decree. While some leaders have used executive authority to establish preparatory committees with the hopes of consolidating a national dialogue process, these preparatory committees often suffer from a lack of support from the public.

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Therefore, preparatory committees may enjoy a higher level of support when they are established as a part of a broader national reconciliation process, in consultation with the civil society, and in the interest of stakeholders.  

Establishing a preparatory committee in the context of a broader, well-organized national reconciliation process may elevate the legitimacy of the committee in the eyes of the public. In Yemen, after the Gulf Cooperation Council Agreement provided for Yemen’s National Dialogue Conference (NDC), the President issued a presidential decree in July 2012 to create the Technical Committee to prepare for the National Dialogue Conference. The presidential decree outlined the Technical Committee’s membership, mandate, dates of operation, and specific operational tasks and functions.

Similarly, in Mali, after a coup d’état deposed a 22-year military dictatorship, the transitional government established by decree the National Commission for Dialogue and Reconciliation to plan a national conference to guide the state towards multiparty democracy. Mali’s interim president appointed diverse and representative members to the Commission, including women and marginalized ethnic groups, reflecting the transitional government’s commitment to an inclusive dialogue. Mali’s national conference deliberated the details of the transition, specifically focusing on a new constitution, registering new political parties, and elections. The conference resulted in the adoption of a new constitution, which was eventually passed by national referendum. Furthermore, the conference also succeeded in opening political life in Mali, resulting in greater political involvement of ordinary citizens. The government organized mini-dialogues in several other instances to settle smaller conflicts and “annual days of dialogue” became regular occurrences in which citizens could pose questions and

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In contrast, a preparatory committee established by unilateral governmental decree may suffer from a lack of legitimacy, particularly where civil society or other key stakeholders have not been consulted in its formation. During Libya’s transition in August 2013, for instance, then-Prime Minister Ali Zidan decreed the launch of a national dialogue process and the establishment of a preparatory committee.\footnote{The Tripoli Post, \textit{Libya National Dialogue Initiative Criticised} (Aug. 27, 2013), available at http://www.tripolipost.com/articledetail.asp?c=1&i=10588.} While Zidan assured the public that the process would be independent from the government, Libyan stakeholders criticized the NPD for not consulting adequately with the public on how the NPD should be conducted.\footnote{The Tripoli Post, \textit{Libya National Dialogue Initiative Criticised} (Aug. 27, 2013).}

Similarly, in Iraq, the public viewed the High Preparatory Commission created by the U.S.-appointed interim government as illegitimate. The public perceived the preparatory committee as susceptible to political manipulation, especially because parties opposing the U.S. presence were largely excluded from the process.\footnote{Katia Papagianni, \textit{National Dialogue Processes in Political Transitions}, CIVIL SOCIETY DIALOGUE NETWORK, 4 (Jan. 2014).}

**Mandate**

A mandate typically guides a preparatory committee’s tasks and goals and sets the groundwork for its success. Depending on the needs of the upcoming NPD, a preparatory committee may have mandates to decide, among other things: (1) the agenda for discussions; (2) dialogue participation standards; and (3) the dialogue structure, including daily procedures and decision-making mechanisms.

Broad mandates for preparatory committees may include a wide range of tasks. In Iraq, the High Preparatory Commission (HPC) had a mandate to decide on the participants, agenda, and rules of procedure for the NPD.\footnote{Katia Papagianni, \textit{National Conferences in Transitional Periods: The Case of Iraq}, 13 INTERNATIONAL PEACEKEEPING 316-333, 325 (Sept. 2006).} However, HPC spent a disproportionately large amount of time selecting the participants, and placed little emphasis on the agenda and substance. Only a few days before NPD, HPC conducted rushed discussions and submitted papers on specific agenda items. The papers lacked substance and failed to provide sufficient guidance on the topics...
for discussion, limiting the effectiveness of the dialogue.\textsuperscript{66}

Other preparatory committees have mandates including only some of these tasks. In Benin, the preparatory committee had a mandate to decide the agenda of the conference and identify participants.\textsuperscript{67} The agenda and basic principles of the new constitution that the preparatory committee drafted guided the dialogue.\textsuperscript{68} In Yemen, the Technical Committee had a mandate to carry out all aspects of preparing for the comprehensive dialogue and to issue reports on its progress. The Technical Committee’s mandate included establishing a mechanism to choose participants, creating a structure for the discussions and decision-making, and refining NPD agenda into day-to-day agenda.\textsuperscript{69} The committee fulfilled its mandate by publishing a highly detailed report to provide for the NDC’s structure, rules for operation, and core objectives.\textsuperscript{70}

Narrow and focused mandates for preparatory committees may only include one or two tasks or objectives. In Afghanistan, the Special Independent Commission had a mandate to draft the Procedures for Afghanistan’s Emergency Loya Jirga, which provided a process for electing dialogue participants.\textsuperscript{71} The work of the commission resulted in a strong dialogue framework, to which the Loya Jirga largely adhered.\textsuperscript{72} In Niger, the preparatory committee only had a mandate to decide the objective of the dialogue and the participants.\textsuperscript{73}

**Composition of Preparatory Committees**

Parties creating a NPD preparatory committee generally balance constituent representation with committee effectiveness when determining requirements for committee membership. Most often, these requirements reflect the existing political balance and may be similar to the representation distributions used later in

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\textsuperscript{69} Presidential Decree 30 of 2012, (Yemen, 2012);


the NPD. Mandates can also require that members meet certain qualifications, such as knowledge of relevant areas of law or particular political influence.

Representation of Political Groups and Constituencies

The composition of a preparatory committee generally reflects the makeup of the existing political structure of a state. However, some states require politically independent members in the preparatory committee to maintain neutrality.

In Yemen, the membership of the Technical Committee reflected the constituencies to be represented in the NDC.74 The committee included representatives of each political party that signed the Implementation Mechanism along with other groups identified in the agreement, including regional groups, civil society, youth and women.75 Similarly, the CAR Dialogue Preparatory Committee included representatives of the six groups participating in ongoing talks, with support from international NGOs.76 Alternatively, the 13 commissioners on Libya’s National Dialogue Preparatory Commission were politically independent from the dialogue process and could not participate in the National Dialogue process beyond their preparatory work.77 Further, the committee’s 13 members worked on a voluntary basis without any expectation of compensation to further ensure their neutrality and political independence.78

A preparatory committee that fails to represent all political components of a society may lead to a less representative NPD. As such, in a state with a severe power imbalance, modeling a preparatory committee’s membership after a state’s existing political structure can prevent a dialogue process from achieving its goals. For instance, Iraq’s High Preparatory Commission reserved seats for anyone who had been a part of the previous Iraqi Governing Council but was not part of the

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new Interim Government. Members of both the Council and the Interim Government were appointed by the U.S. and were associated with the dominant political party. There were no clear requirements made public for the remaining seats on the HPC, and the process made no significant effort to integrate political opposition, and failed to integrate all views from the society into NPD.

Non-Political Representation Requirements

In determining the composition of the preparatory committee, states can also impose non-political requirements such as gender and technical expertise. For instance, the Bonn Agreement required the Afghanistan Special Independent Commission to include a number of members with specific expertise in constitutional or customary law to facilitate technical discussions.

The Bonn Agreement also mandated adequate representation for women. By contrast, of the 68 members of Niger’s Preparatory Committee’s, only one member was a woman. The lack of representation for women led to a series of public demonstrations, including the occupation of the dialogue venue by women demanded stronger representation going forward in the NPD. Niger later included five women in the national dialogue.

Size of the Preparatory Committee

In determining the size of a preparatory committee, states may consider balancing the need to bring together a widely representative group with the need to keep the committee small enough to resolve technical issues. The size of

82 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(1) (Afghanistan, 2001).
83 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(1) (Afghanistan, 2001).
87 Katia Papagianni, National Dialogue Processes in Political Transitions, CIVIL SOCIETY DIALOGUE NETWORK, 8
preparatory committees varies greatly among states, depending on the political context and resources available.

In Afghanistan, Yemen, and Central African Republic, the preparatory committees were relatively small, with only 20 to 25 members. The smaller preparatory committees allowed for more efficient decision-making, but they were often more elite-driven or representative of existing power structures. Alternatively, some preparatory committees are considerably larger, often to provide for broader representation and inclusion at an earlier stage of the dialogue. In Niger, the Preparatory Committee had 68 members, the DRC preparatory committee included 74 members, and Iraq’s High Preparatory Commission (HPC) had 100 members. However, a large preparatory committee does not guarantee a representative committee. For instance, Iraq’s 100-member HPC was not representative due to the membership selection methods, which favored members of the previous government.

Libya developed a hybrid preparatory committee structure that incorporated the more efficient decision-making of a smaller committee structure while also providing for broader representation. Specifically, Libya’s National Dialogue Preparatory Commission (NDPC) had only 13 members, but the NDPC was supported by an advisory council of 73 individuals from various geographic, tribal, and ethnic backgrounds, ensuring local views were accounted for in the commission’s work.

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Selection of Preparatory Committee Members

The preparatory committee member selection process can be a highly contested and adversarial process, as preparatory committees often determine the composition, function, and outcomes of a NPD. Therefore, parties to a NPD generally conduct thorough negotiations to determine the membership of a preparatory committee and ensure that the representatives are perceived as legitimate and impartial. Members of NPD preparatory committees are typically appointed or elected. Whether determined by appointment or election, the legitimacy of the committee membership selection process can contribute to the overall effectiveness of the national political dialogue. Moreover, technical or logistical committees that may continue operations throughout the dialogue itself—beyond the preparatory stages—typically follow similar selection processes.

Appointing Preparatory Committee Members

Transitional governments or third-party NPD facilitators often appoint members to preparatory committees. While an appointment process can sometimes help ensure the committee is representative of complex societal divisions, it can also raise legitimacy issues. Government leadership may also be at odds with other parties in the appointment process, and it may be difficult to build trust among opposition leaders and the public.

In Yemen, for instance, the Technical Committee appointed by presidential decree was inclusive of each political constituency to be represented at the NDC, including the ruling GPC, the Joint Meeting Parties (JMP), other political parties, ethnic and regional groups, civil society organizations, youth, and women. In addition, the president selected the members of the Technical Committee based on their abilities to represent the broader views of their relative constituencies. The committee was generally perceived as legitimate and objective, and it produced a comprehensive report on the NDC preparation.

Similarly, Benin President Kerekou appointed a diverse group of

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96 Presidential Decree 30 of 2012, art. 1(a), (Yemen, 2012).
97 Presidential Decree 30 of 2012, art. 1(b), (Yemen, 2012).
representatives to the NPD preparatory committee.99 The diverse membership of Benin’s preparatory committee helped facilitate representative membership in the subsequent NPD process.100 Consequentially, Benin’s NPD was well prepared to conduct a meaningful dialogue with all relevant stakeholders due, at least in part, to its inclusive and transparent preparatory committee.101

Alternatively, when the government is a party to a conflict, preparatory committee with members appointed by the government may lack legitimacy. In the Central African Republic, the 25-member committee established by presidential decree included representatives from an array of stakeholders, including the democratic opposition, the presidential majority, government institutions, political-military groups and civil society. However, one of the three politico-military groups refused to participate because it did not trust the government to conduct fair proceedings.102

**Election of Preparatory Committee Members**

Preparatory committee elections, though less common and potentially more resource-intensive than appointments, can increase public ownership of the dialogue process. Intensive planning beforehand and flexibility throughout the process are helpful to ensure all stakeholders are adequately represented in the final committee membership.

The Democratic Republic of Congo (DRC) determined the composition of its preparatory committee to the 2001 Inter-Congolese Dialogue (ICD) through public election.103 The facilitator’s office conducted a national tour to oversee

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local elections, with each province electing four members to the preparatory committee.\textsuperscript{104} The election process was relatively inclusive, representing religious denominations, traditional chiefs, women’s and youth groups, trade unions, and NGOs.\textsuperscript{105} However, because of the confusion surrounding their legal status, hundreds of unarmed opposition political parties were excluded from the process.\textsuperscript{106} In addition, where the elections resulted in a clear failure of representation, the facilitator exercised discretion in accepting nominations for additional members from the province.\textsuperscript{107} The ICD ultimately suffered financially, and disagreements among participants stalled the dialogue process.\textsuperscript{108}

**Structure**

The structure of a preparatory committee generally depends on the specific tasks provided in its mandate, as well as the needs stemming from the particular conditions and political situations of the state. Preparatory committees generally appoint a committee chair and vice-chair to manage the committee. Some preparatory committees further choose to create subcommittees to handle specific preparatory tasks or issues.

*Chair and Vice-Chair of a Preparatory Committee*

Many preparatory committees appoint chairs or vice-chairs to handle the leadership and management of the committee. The chair typically leads the meetings of the preparatory committee and ensures that the committee remains focused on its tasks. In many instances, the leadership of the committee is comprised of former or current government leaders, such as in Yemen, where the Technical Committee appointed the state’s former prime minister as its chair.\textsuperscript{109}

Alternatively, a preparatory committee’s leadership may be appointed to represent the goals and commitments of the committee and the wider dialogue. In Mali, the transitional government appointed a woman and a Tuareg, a historically
marginalized ethnic minority group in Mali, as the two vice-presidents of its dialogue preparatory committee. The appointments signified the transitional government’s commitment to an inclusive dialogue that would be representative of all of Malian society and its grievances.110

Preparatory committees may also elect to have outside facilitators chair the committee to maintain the committee’s neutrality. The Centre for Humanitarian Dialogue (HD Centre) chaired the preparatory committee in the Central African Republic (CAR). HD Centre’s involvement as chair of the preparatory committee ensured that the dialogue included representatives of all the major armed groups and political opposition.111

Sub-Committees Within a Preparatory Committee

Preparatory committees may create sub-committees to undertake specific tasks or issues related to the planning of the dialogue. Preparatory committees may utilize outside sub-committees to provide targeted, expert support on certain aspects of the planning. Sometimes, a preparatory committee may not have certain expertise in an area, such as particular local issues, and may therefore employ outside committee support.

In the DRC, the dialogue preparatory committee used supervisory provincial committees to manage local elections when selecting members to the Inter-Congolese Dialogue.112 Likewise, Yemen’s Technical Committee used the support of a separate preparatory ‘Liaison Committee,’ which was tasked with reaching out to various constituencies and inviting them to participate in the national dialogue and its preparation.113 The Liaison Committee appealed to Houthi participation in the National Dialogue Conference through a series of meetings with Houthi leaders emphasizing the importance of universal participation.114

114 Mohammed Al Qadhi, Houthi Rebels Agree to Join Talks on Yemen’s Future, THE NATIONAL (June 6, 2012),
Functions of Preparatory Committees

While a preparatory committee may be responsible for many aspects of an NPD, the roles of a preparatory committee will vary based on the specific circumstances of a particular dialogue. A preparatory committee’s responsibilities may include setting agendas, establishing procedures, setting additional goals or objectives for dialogue outcomes, selecting dialogue participants, and sometimes providing logistical support and coordination throughout the dialogue. Furthermore, preparatory committees can ensure the political commitment of all parties involved by choosing appropriate mediators, agendas, venues, participants, and procedural rules. Preparatory committee may also engage in public outreach efforts, as well as help provide guidance at each stage of the dialogue to ensure that all prospective parties are informed and organized.

Agenda Setting

Preparatory committees are typically tasked with developing an agenda for the dialogue. Sometimes, however, they may refine an existing agenda previously established in an NPD framework agreement. Setting an agenda can help establish firm expectations for an NPD's objectives and outcomes. Agenda setting can also help to build consensus in advance of an NPD by establishing shared expectations and common objectives among the parties.

For instance, the DRC preparatory committee determined an agenda for the Inter-Congolese Dialogue. The committee’s draft agenda included peace negotiations, terms of governance, elections, security sector reform, economic reconstruction, humanitarian aid, and national truth and reconciliation mechanisms, among other issues. In Yemen, the GCC Initiative established a general


\[\text{International Dialogue on Peacebuilding & Statebuilding, \textit{The Role of Political Dialogue in Peacebuilding and Statebuilding: An Interpretation of Current Experience, in THE ROAD TO THE NEW DEAL} 4, 16 (2011).}\]


\[\text{Panapress, \textit{Ethiopia to Host Inter-Congolese Dialogue}, (Aug. 25, 2001).}\]
framework agenda for the National Dialogue Conference. The NDC Technical Committee then refined them into a more comprehensive agenda. The Technical Committee drafted 13 core issues for discussions, subtopics divided among the NDC's nine working groups, and extremely detailed daily agendas to govern NDC proceedings.

Establishment of Procedures

Preparatory committees often establish procedures for several aspects of NPD activities. Preparatory committees can be charged with establishing procedures for selecting NPD members, determining the rules of engagement during NPD sessions, and organizing subcommittees within the NPD to address specific issues. Provision of clear and comprehensive rules and procedures for each stage of the national dialogue process can help facilitate an effective NPD.

The DRC’s preparatory committee set the rules, regulations, agenda, structure, dates, and place for the Inter-Congolese Dialogue. In addition, the preparatory committee designated five working committees to address the ICD’s key areas of concern. In Afghanistan, the SIC adopted and implemented procedures for monitoring the nomination process for the Emergency Loya Jirga. To preempt conflict over nominations, the SIC also specified mechanisms for grievance filing and arbitration rules. Many credited the SIC-designed procedures with balancing democratic and traditional election processes.

Provision of Logistical Support

Preparatory committees can provide a valuable logistical support for an NPD, facilitating the dialogue’s overall functions. Effective preparatory

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121 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).
122 Presidential Decree 30 of 2012, art. 4(d), (Yemen, 2012).
124 International Crisis Group, The Inter-Congolese Dialogue Political: Negotiation or Game of Bluff?, 6 (Nov. 16, 2001).
committees typically plan and prepare the dialogue’s administrative and logistical work in advance of dialogue proceedings. Often, logistical support includes selecting venues, organizing security, and other circumstance-specific tasks.\textsuperscript{128} These logistics can ensure that the dialogue moves at an efficient and stable pace, that the dialogue occurs in a comfortable and safe setting, and that there can be broad dissemination of dialogue information to the public.\textsuperscript{129}

For instance, Yemen’s Technical Committee provided logistical support for the NDC by choosing office locations, providing transportation and travel arrangements for members, preparing the conference venue, arranging security, and organizing translations for media coverage.\textsuperscript{130} Similarly, DRC’s preparatory committee set the ICD’s date and location. The preparatory committee’s location selection for the dialogue, Addis Ababa, Ethiopia, represented a compromise because the government and the opposition disagreed on each other’s favored locations. Because of the stalemate, the preparatory committee ultimately chose Addis Ababa because of its foreign location and because it was the headquarters of the Organization of African Unity.\textsuperscript{131}

Public Education & Consultation

Preparatory committees can also conduct public education and consultation activities ahead of a NPD. Public education refers to informing the public about the dialogue process, such as teaching them why the dialogue process is necessary, how the dialogue will proceed, and how the public can participate. Public consultation refers to the process of conferring with the public on what they would like to see happen during the dialogue, so that the public’s interests will be incorporated into the dialogue process. These initiatives can increase the legitimacy of a NPD by ensuring transparency to the public and engagement of a wide range of stakeholders in a NPD.\textsuperscript{132} Some preparatory committees create a sub-committee tasked with public education and consultation efforts.

\textsuperscript{131} International Crisis Group, \textit{The Inter-Congolese Dialogue Political: Negotiation or Game of Bluff?}, 6 (Nov. 16, 2001).
Preparatory committees may disseminate both hard copies and digital versions of NPD-related information to the public to further public education and outreach efforts. For example, the Special Independent Commission in Afghanistan was tasked with publishing and disseminating the rules of and procedures it had prepared at least 10 weeks before the dialogue was scheduled to take place. In Yemen, the Technical Committee published a press release and updated its official Facebook page after each of its 65 meetings.

In other dialogues, the preparatory committees traveled across the state to hold information sessions, conduct public consultations on agenda items, and engage directly with potential spoilers. In Libya, for instance, the preparatory committee for the NPD traveled around the state conducting a proactive public outreach campaign to gauge public opinion at a grassroots level on what issues the NPD should address.

Selection of Dialogue Participants

Preparatory committees are often responsible for selecting NPD constituencies, as well as individual participants to represent those constituencies. A preparatory committee may select NPD constituencies directly or by setting procedures enabling constituent groups to choose their own representation. Some preparatory committees use multiple mechanisms to choose dialogue participants to ensure the participation is inclusive.

Preparatory committees may play a direct role in selecting the constituencies that will be represented at the dialogue, as well as the individual representatives that make up each constituency. In the DRC, the preparatory committee assigned a neutral facilitator to consult with the Congolese parties and compile a list of the political opposition and civil society groups to invite to the dialogue. From this

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133 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(3) (Afghanistan, 2001).
list, the preparatory committee selected the final groups that would participate.\footnote{Shelly Whittman, Women and Peace-building in the Democratic Republic of the Congo: An Assessment of their Role in the Inter-Congolese Dialogue, 6 AFRICAN JOURNAL OF CONFLICT RESOLUTION 1, 36 (2006).} In Yemen, the Technical Committee created a Selection Advisory Committee to make nominations and compiled a list of potential participants for the president’s approval.\footnote{National Dialogue Conference, NDC Member Selection Mechanism, available at http://www.ndc.ye/page.aspx?show=69.}

The participant selection process may also require a preparatory committee to determine the size of the dialogue and the number of participants that will participate in each constituency. For instance, in Yemen, the Technical Committee had a mandate to make the final decision regarding the size and composition of the dialogue. After some initial disputes over the size and composition of the NDC, the Technical Committee consulted with the UN Special Envoy and ultimately adopted the Envoy’s suggested 565-seat conference. The Technical Committee distributed the seats among political parties, civil society organizations, youth and women’s groups, and ethnic or regional groups.\footnote{Zeinab Abdelkarim, Eric Hodachok & Danielle Monaco, Yemen’s Transition: Electoral Challenges and Opportunities for Reform, CENTER FOR DEMOCRACY, DEVELOPMENT AND THE RULE OF LAW, 9 (Jun. 2013); Yemen Times, National Dialogue Conference’s Share Distribution Decided, (Nov. 29, 2012).}

Alternatively, preparatory committees may be slightly less involved in direct participant selection and may instead establish guidelines or qualification requirements for selecting individual dialogue participants. In Benin, for instance, the preparatory committee set the qualification requirements, selection parameters, and number of representatives to be selected for participants. The committee then let the identified constituencies select their own members in adherence with that framework.\footnote{Katia Papagianni, National Dialogue Processes in Political Transitions, CIVIL SOCIETY DIALOGUE NETWORK, 6–7 (Jan. 2014).}

Conclusion

As this chapter expressed, preparatory committees are not only one of the most important elements of establishing a dialogue, but also their activities and effectiveness can be determinative of a NPD’s ultimate success. Because preparatory committees typically have so much influence on a dialogue’s structure and functions, parties seeking to influence a dialogue’s design or operations will often dedicate extensive efforts towards designing a preparatory committee’s
mandate, selecting its membership, and supporting its functions. Chapter 3 will focus on one of the most common and most important tasks for many preparatory committees—establishing an agenda for a NPD.
CHAPTER 3: 
AGENDA SETTING FOR A NPD

Introduction

Agendas establish a list of the parties’ shared goals and provide a comprehensive list of issues and topics for discussion for a NPD. Because a NPD agenda can dictate which issues will be open to discussion during a NPD, setting an agenda can be a highly contested process. Setting a clear agenda of issues ahead of NPD can decrease uncertainty in the dialogue and help to keep all parties engaged in predetermined dialogue tasks. Also, the process of setting an agenda allows parties to demonstrate respect for all other parties’ interests and can thus help to guarantee continued dialogue. Timelines associated with an agenda can be another important tool to keep the dialogue moving forward in a timely manner.

This chapter will examine the establishment of NPD agenda and explore how parties can develop and sequence agenda items for a NPD. Setting an agenda generally involves: (1) selecting a mechanism for codifying the general agenda framework; (2) developing specific agenda items; (3) sequencing items on the agenda; and (4) establishing a complementary timeline for the agenda.

Codifying a NPD Agenda

Some NPD framework agreements or peace agreements will provide at least a general NPD agenda. Alternatively, some NPDs rely on a preparatory committee to develop the agenda for the NPD process. Regardless of whether a NPD agenda arises from an agreement or from a preparatory committee, NPDs are typically most successful when the agenda setting process is as inclusive as possible.

Peace Agreements

Peace agreement providing for a NPD may include an agenda for a NPD within the agreement. Providing an agenda within a peace agreement can enhance

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transparency and establish NPD expectations at the beginning of the peace process. For instance, in the Democratic Republic of the Congo, the Lusaka Ceasefire Agreement established the agenda for the Inter-Congolese Dialogue (ICD).\footnote{Lusaka Ceasefire Agreement art. 5.5(a)-(e) (Democratic Republic of Congo, 1999) available at http://www.un.org/Docs/s815_25.pdf.} The Agreement created an outline of the issues to discuss during the ICD, ensuring that all parties were aware of the agenda items and the sequence of the dialogue.\footnote{Lusaka Ceasefire Agreement art. 5.5(a)-(e) (Democratic Republic of Congo, 1999); Kenyan National Dialogue and Reconciliation on the Resolution of the Political Crisis: Annotated Agenda and Timetable art. B (Kenya, 2008), available at http://www.irinnews.org/pdf/annotated%20agenda%20ver%202.pdf.}

**Framework Agreements**

NPD Framework agreements can also establish a NPD agenda. Usually, framework agreements broadly identify the key issues or themes that may be on the agenda, and a preparatory committee later develops that framework into a more detailed and comprehensive agenda. For instance, a general framework agreement for Yemen’s National Dialogue Conference (NDC) identified eight particular issues of importance to Yemen’s transition to include on the dialogue agenda.\footnote{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), available at http://peacemaker.un.org/sites/peacemaker.un.org/files/YE_111205_Agreement%20on%20the%20Implementation%20mechanism%20for%20the%20Transition.pdf.} Subsequently, the NDC Technical Committee drafted a more specific and comprehensive agenda of 13 main agenda issues, however, all of the issues identified by the framework agreement were ultimately included in the final NDC agenda.\footnote{The Republic of Yemen, Final Report of the Technical Committee to Prepare for the Comprehensive National Dialogue Conference, 13–14 (Dec. 12, 2012).}

**Preparatory Committee Documents**

In instances where peace agreements or framework agreements do not provide for a NPD agenda, or where they only provide an overly general framework agenda, NPD preparatory committees may create a specific agenda for the NPD process. Because preparatory committees are typically representative of the parties to a NPD, instead of just the parties to a peace agreement, they can construct agendas that are reflective of the interests and priorities of all the
stakeholders to the dialogue. Further, early consensus during the preparatory phase can establish shared expectations and provide a common objective.\textsuperscript{147}

The preparatory committee for Benin’s NPD identified the key issues of importance for the state’s transition and established the agenda for a NPD.\textsuperscript{148} The preparatory committee identified three focus areas for the agenda: (1) constitutional issues; (2) economic and social issues; and (2) education, cultural, science, sports and environmental issues.\textsuperscript{149} Much of the agenda focused heavily on specific constitutional issues because the NPD was predominately centered on completing a draft constitution. The committee’s work on the basic principles of the new constitution laid the groundwork for focused and effective deliberations during the NPD.\textsuperscript{150} In Yemen, the Technical Committee to Yemen’s National Dialogue Conference (NDC) built upon and further refined the framework agenda provided by the NPD framework agreement. The Technical Committee created a detailed agenda of 13 core issues for discussion, as well as a highly detailed list of dozens of sub-topics divided across the specific agendas for the NDC's nine working groups’ discussions.\textsuperscript{151}

Developing NPD Agenda Items

Developing an agenda for NPDs is a highly important and potentially contentious process. Agenda items typically reflect the goals of the NPD, based on the needs of the state’s political transition and reform. Developing an agenda can help establish firm expectations for the national political dialogue.\textsuperscript{152} Parties setting a NPD agenda generally work together—sometimes with the support of mediators, facilitators, or other neutral 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.

Identifying the Broad Issues for Discussion

Before deciding on specific items for a NPD agenda and sequencing discussions, the parties or a preparatory committee first identify the broad issues for the dialogue to address. Often, these include one or two broad issues or concepts to a state’s political transition or reform, such as constitutional reform, political reform, human rights protections, transitional governance, reconciliation efforts, or other broad issues connected to a specific state’s peace process. In Lebanon, the parties broadly identified the issues before its National Dialogue as focusing solely on defense strategy and security issues. In Rwanda, where there are annual national dialogues, the broad issues that framed the individual dialogue agendas have included good governance, strengthening government reform, and sustainable development, among others. Once parties have established the broad issues to frame the dialogue agenda, the parties can then decide on more specific issue sand topics for discussion to populate the dialogue agenda.

Deciding on Specific Agenda Items

An agenda may provide a concise or an expansive list of specific items for discussion, depending on the nature of the conflict or the issues that need to be discussed at NPD. The level of detail included on the agenda varies from dialogue to dialogue. Detailed topics, which include sub-topics and specific issues, are helpful in providing guidance. Too much detail, however, may stifle flexibility in discussions. It is thus helpful for parties to agree on distinct main topics and provide the option to add or remove sub-topics if the need arises.

In South Africa, the parties identified the agenda items addressing the issues related to post-apartheid transition, namely (1) ending violence; (2) repealing discriminatory legislation; (3) establishing an independent media and broadcasting authority; (4) establishing the transitional executive council and its sub-councils; (5) creating an independent electoral commission; (6) protecting fundamental rights during the transition; and constitutional issues. In Yemen, the Technical Committee expanded extensively upon the eight focus areas into more than 70 substantive topics for discussion. While the broad agenda allowed Yemen’s NDC

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to address issues of importance to all of Yemen’s political stakeholders, this expansive agenda caused delays in the dialogue process, as well as increased opportunities for dispute among the dialogue participants. Moreover, the agenda was viewed as ambitious and overly inclusive, as well as containing issues too technical for the general population to sufficiently understand.

Unlike Yemen’s expansive agenda, some states create highly focused agendas that only incorporate a few specific points. For instance, the Kenya National Dialogue and Reconciliation adhered to a relatively simple four-point agenda that addressed only a limited set of long-term political goals. The four items included: (1) taking immediate action to stop violence and restore fundamental rights and liberties; (2) addressing the humanitarian crises, promoting reconciliation and healing; (3) overcoming the political crisis; and (4) addressing long term issues such as constitutional and institutional reforms. This simple yet focused agenda helped to keep the talks concentrated on a core set of reasonable goals and practicable tasks directed at ending violence, addressing the humanitarian crisis, overcoming the political crisis.

Sequencing Agenda Items

Once the agenda items are established, the next key step is for the parties to sequence the issues within the agenda. Sequencing of the agenda items is important because it sets the tone for the discussions and can help build confidence among the dialogue participants. The sequencing process typically involves (1) identifying the core interests and priorities associated with the agenda issues and (2) strategically sequencing the issues within the agenda based on those core interests and priorities, as well as specific issues’ relative importance or value.

Identifying Core Interests and Priorities

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160 Robert C. Bordone & Tobias Berkman, *Negotiation Advice for the 112th Congress*, HARVARD NEGOTIATION LAW REVIEW.
The first step in sequencing an agenda is for the parties to list the issues that all the participants and stakeholders may wish to discuss during the dialogue and to identify the related interests and priorities associated with the specific issues. Parties may designate issues as major or minor issues before setting an agenda because this determination may affect the sequence of discussions or allow parties to identify issues that are not appropriate for a NPD process. Part of this assessment may require the parties to determine the level of contention and complexity that surrounds the listed issues.

After listing the issues the parties wish to discuss, as well as their related interests and priorities, the parties can begin to frame the agenda around the varying interests of the participants using the strategic approaches described below. Throughout the agenda sequencing process, it can be helpful for parties to keep in mind that, in addition to providing a list of topics for discussion, NPD agendas can provide further detail and guidance for the dialogue by outlining the participants’ agreed upon core interests and goals for the dialogue process and outcomes.

**Strategic Approaches to Sequencing Agenda Items**

Generally, there are three main strategic approaches for determining the sequence in which parties will address listed issues during the dialogue: (1) addressing easiest issues first; (2) addressing major issues first; or (3) leading with complex issues.\(^1\)\(^6\) Regardless of the approach to sequencing parties pursue, successful agendas typically provide for some flexibility in the sequencing of the agenda to allow for adding, removing, or reprioritizing issues to the agenda because the dialogue may not always follow the initial progression laid out in the agenda.

Flexibility in an agenda can provide an opportunity for all interested participants to contribute to the dialogue and embrace opportunities for a more comprehensive dialogue that can be responsive to changing circumstances. Moreover, for any of the strategic approaches to sequencing agenda issues, parties can identify any possible links or overlaps between the agenda issues. This can allow for easier transitions between the different issues or stages of the discussions,

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and identifying linkages between issues can help to establish a more efficient agenda for the dialogue and/or help to build in additional flexibility.\footnote{Robert C. Bordone and Tobias Berkman, Negotiation Advice for the 112th Congress, HARVARD NEGOTIATION LAW REVIEW.}

**Addressing the Easiest Issues First**

One common approach to sequencing agenda issues, is to address the “easiest” issues first by focusing on topics for which the participants have a shared interest, or topics that are the least contentious or politicized in nature. Generally, these are the topics and issues least likely to cause extensive debate among the parties to the dialogue. This option can be especially advantageous if the participants wish to build trust and momentum at the start of the dialogue. Obtaining agreement on some issues at the beginning can instill optimism and good will among the participants, potentially making them more agreeable to compromise when discussing the more difficult issues later on in the dialogue. An additional consideration for this approach is whether a particular issue may be ‘easy’ to address with some dialogue participants but relatively difficult to address with others because some parties may attempt to turn ‘easy’ issues into difficult issues to influence the sequencing. This approach may thus afford strategic advantage to parties seeking to address certain issues in a particular order.\footnote{Robert C. Bordone & Tobias Berkman, Negotiation Advice for the 112th Congress, HARVARD NEGOTIATION LAW REVIEW.}

**Addressing the Major Issues First**

Under this approach, the parties setting the agenda can identify the most “important” or “major” issues for the success of the dialogue and then prioritize those issues over other “minor” issues through the sequence of the agenda. Under this approach, the initial focus is on issues that are highly determinative of the success of the overall dialogue. The ‘major issues’ may not be highly complex issues but instead might just be important principles the parties seek to agree on. The ‘major issues first’ approach can help provide clarity on the core interests of the participants, and it allows the participants to engage in a more detailed discussion of high profile matters early on.\footnote{H. Peyton Young, *Negotiation Analysis*, UNIVERSITY OF MICHIGAN PRESS, 1, 173 (1991).} This approach can be helpful if the dialogue is restricted by a relatively short timeline because the parties can ensure that they reach outcomes on the most determinative issues. Moreover, by reaching early agreement on major or determinative issues, the parties may have more flexibility to negotiate more complex minor issues.
Leading with the Complex Issues
NPD parties may choose to begin the dialogue with the most complex issues listed on the agenda. This allows parties to first address issues that they have the most energy to engage in and before any internal divisions arise during the dialogue process. Addressing complex issues first may also allow parties to resolve complex and essential issue before moving on to easier ancillary issues. This process is typically most effective if there is already 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.

Establishing Timelines and Deadlines
Timelines are important tools for ensuring efficient NPDs and avoiding ill-defined dialogue or transition periods that can foster additional disputes or political unrest. Typically, parties engaged in establishing an agenda for a NPD will either frame the agenda around an existing NPD timeline, or they will develop a timeline to complement to the development of the agenda. Parties to a NPD can establish timelines to help maintain steady progress in discussions and deter delays in implementation. Steady progress along an established timeline can also help keep the parties focused on the elements of the dialogue agenda and working towards meaningful dialogue outcomes.\(^\text{165}\)

Creating a Timeline to Complement the Scope of a NPD Agenda

Even during the early stages of agenda setting, it can be important for parties to a dialogue to remember that certain elements of a dialogue timeline and specific deadlines related to implementing dialogue outcomes can extend beyond the conclusion of the dialogue. By at least making considerations for such timelines and deadlines at the agenda setting stage, the parties can help to better ensure an effective dialogue. If a peace agreement or other operative NPD framework agreement does not provide specific timeframes for a NPD agenda, the NPD process can stall for months or even years. Not only can this delay the broader peace process, but it can also cause the peace processes to proceed without a national dialogue, which can limit the effectiveness of the broader peace process.

For instance, one of the main shortcomings of Rwanda’s national dialogue agenda and framework under the Arusha Accords was the lack of any deadlines for the implementation of dialogue outcomes. As a result, Rwanda’s national dialogue efforts stalled for nearly six years, compromising the original agenda and the effectiveness of the dialogue.\textsuperscript{166} Lebanon’s national dialogue faced a similar fate because the Ta’if Accord failed to set any timelines for the national dialogue processes.\textsuperscript{167} More than two decades after the Ta’if Accord, Lebanese officials still have not formed the national council envisioned by the agreement or engaged in any formal NPD discussions.

\textit{Specific Approaches to Structuring a NPD Timeline}

NPDs face an increased likelihood of success when their agendas are accompanied by clear timelines for the NPD process. There are several different ways parties to a NPD may design and implement an effective NPD timeline, including: (1) creating a fixed deadline; (2) linking the NPD timeline to a specific elements within the broader peace process timeframe; or (3) providing a general statement or commitment that the NPD shall not delay the broader peace process. Any of the timeline approaches have important implications for establishing a NPD agenda because dialogue agendas cannot be so expansive that all of the agenda issues cannot be discussed within the prescribed timeframe for the dialogue.

\textit{Creating a Fixed Deadline for Fulfilling the Entire NPD Agenda}

Some NPDs may feature a fixed deadline that encompasses an entire NPD agenda. 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. Yemen likewise used a fixed timeline, requiring that the NDC convene for a period not to exceed six months.

Linking the NPD Timeline and Agenda to Broader Peace Process Timelines

Instead of picking one specific deadline encompassing the entire NPD agenda and process, some states feature NPD timelines that are linked to the broader peace process or negotiations timeframes. In Guatemala, for instance, the parties to the NPD synchronized their discussions and delivery of NPD recommendations to the international mediator with the broader timeline for bilateral peace negotiations.

Providing a Commitment that the NPD Shall Not Delay the Peace Process

Some states include language in a peace agreement or NPD framework agreement providing that the parties commit that the NPD process shall not delay in the broader peace process. This approach is unique in that it does not fix any specific deadlines for the NPD process. 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 NPD timeline to the broader peace timeline also provided that the NPD would “not delay the conduct of the bilateral negotiating process.”

Specific Timelines for Specific Agenda Items

In addition to providing timelines for the broader NPD process and for addressing the entire NPD agenda, some NPDs may feature a series of more detailed timelines to govern specific elements of the NPD process and agenda. The framework agreement for Kenya’s national dialogue 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. For more complex or controversial issues, the dialogue agreement provided the parties with as long as

169 Erica Gaston, Process Lessons Learned in Yemen’s National Dialogue, UNITED STATES INSTITUTE OF PEACE, 1, 3 (Feb. 2014); Presidential Decree No. 27 of 2014 (Yemen, Mar. 8, 2014).
171 Framework Accord art. III(ii) (Guatemala, 1994).
a year to conduct discussions. Rwanda’s NPD timeline was even more precise and time constrained, with annual national dialogues lasting for one or two days once a year and the participants discussing one to four agenda items each day.

Conclusion

A dialogue agenda can take many different forms and serve a multitude of purposes. In addition to ensuring that a NPD addresses the core issues facing a state and that the dialogue participants remain focused on the key items for discussion, NPD agendas can help incorporate a certain degree of flexibility into dialogue discussions or timelines. However, even the best designed NPD agenda can fall apart without representative dialogue participants dedicated to fulfilling the agenda. The next chapter will take a closer look at participant selection mechanisms and means engagement in NPDs, as well as the effect participation standards can have on NPD proceedings and outcomes.

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174 Concept Note: the 10th Annual National Dialogue Council (2012).
CHAPTER 4: PARTICIPANTS

Introduction

One of the more important elements of preparing for a NPD, especially as part of a broader peace process, is establishing participation standards for the dialogue. Because a NPD will typically have numerous stakeholders vying for strategic influence and advantages for the broader dialogue, determining stakeholder participation and engagement in a NPD can be a critical step. Not only is it important to ensure that all the necessary parties are represented at a dialogue, but it is also critical to ensure that illegitimate parties do not participate or that certain stakeholders do not garner unfair representation within the NPD.

An important goal of a NPD is to bring together a diverse group of participants representing the different sectors of the society. Therefore, selecting participants for the dialogue becomes an important process for achieving this desired inclusiveness. Determinations of which constituencies and individual participants participate in a NPD depend on a number of factors, such as: the context of the conflict, the political agreement, commission, or leader who mandates the national dialogue, and the relationship between the main parties to the conflict. Common participant groups for NPDs include, among others: government officials, military leaders, opposition parties, non-state armed groups, civil society organizations, and outside parties. Sometimes, parties to a NPD will strategically exclude certain participants from the dialogue process.

Participant selection typically occurs in two stages. The first stage is deciding which constituencies will be participants at the dialogue. A political agreement or dialogue preparatory committee may identify and select the constituencies to be represented. Deciding on constituencies also involves a determination of the size and composition of the dialogue. The next stage is selecting the individual candidates who will make up each constituency. The individual delegates can be elected, self-selected, appointed by a preparatory committee, or appointed by a government entity.

Selecting Constituencies
Identifying the constituencies that will participate in a dialogue process is a critical initial step in preparing for a NPD. Official dialogue constituencies often include members of the government and military, non-state opposition groups, political parties, and civil society groups based on age, gender, religion or ethnicity. One option is to identify the constituencies that will participate in the dialogue in a peace agreement or NPD framework agreement. In the absence of such a political agreement, a preparatory committee or government leader may designate the official constituencies to the national political dialogue.

Alternatively, some states may choose a hybrid approach, combining a political agreement with appointments by a preparatory committee or government leader. Once constituencies have been identified, a preparatory committee can also determine the size and composition of each constituency delegation.

**Constituency Selection by Political Agreement**

Peace agreements or NPD framework agreements often provide a NPD’s legal mandate and framework. Such an agreement, or its implementation text, may specify the official constituencies who will participate in the dialogue. These agreements can have differing levels of inclusiveness. For instance, some agreements only specify the parties that signed the peace agreement to participate in the NPD. More commonly, the agreement will include additional, non-signatory groups in the dialogue as well.

**Peace Agreements**

Usually, the parties that sign the agreement are listed as participants in the dialogue. For instance, the Lusaka Ceasefire Agreement specified that the main Congolese parties that participated in the ceasefire negotiations would also participate in the Inter-Congolese Dialogue. Key stakeholders who are not

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179 Lusaka Ceasefire Agreement art. 3(19) (Democratic Republic of Congo 1999).
signatories to the peace agreement may also be participants in a NPD. For instance, civil society organizations tend not to be signatories of peace agreements but are often named in the agreement to be participants in the upcoming dialogue.\textsuperscript{180} In Yemen, though negotiations for the transitional agreement excluded leaders from the youth movement, civil society, ethnic organizations, and women’s groups, the implementation text of the agreement required their participation in Yemen’s NDC to achieve a high level of inclusiveness.\textsuperscript{181}

**NPD Framework Agreement**

A NPD framework agreement may establish the participant parties and the overall goals in the national political dialogue. In Kenya, the NPD’s Statement of Principles listed six tasks for completion, including constitutional reform and institutional reform in the judiciary branch. The NPD Framework Agreement then allocated each of these tasks to particular actors. The participants in the Kenyan NPD were the coalition parliament and government. The Ministry of Justice and the National Cohesion and Constitutional Affairs Commission were tasked with addressing constitutional reform issues.\textsuperscript{182}

**Constituency Selection by Preparatory Committee**

A peace or ceasefire agreement may also establish mechanisms for selecting official constituencies to the NPD, rather than name participants or constituencies in the agreement. A preparatory committee may also create sub-committees to manage a number of small tasks in selecting constituencies. In Benin, the president appointed a preparatory committee to plan the agenda for the dialogue and identify groups that would participate.\textsuperscript{183} The preparatory committee capped the total number of members for the national dialogue at 500 and allocated the

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number of representatives each constituency would be allowed. The committee did, however, allow each party to choose its own individual delegates.\textsuperscript{184}

Conversely, Yemen’s preparatory Technical Committee (TC),\textsuperscript{185} created a selection advisory sub-committee. The selection advisory committee nominated 40 top civil society organizations from which the TC would select 20 to participate in the NDC, and two individuals would represent each of the 20 organizations.\textsuperscript{186} The selection committee gave priority to professional organizations operating at the national level whose work is relevant to dialogue topics. Another selection advisory committee received nominations from youths and women not associated with a political party.\textsuperscript{187} The TC and the President of Yemen gave the final approval on the selected constituencies.\textsuperscript{188} Overall, Yemen’s constituencies were relatively inclusive because they represented different political parties, regions, civil society, youth and women.\textsuperscript{189}

\textit{Hybrid Constituency Selection}

Some states have used hybrid mechanisms to select dialogue constituencies. Hybrid mechanisms may include a combination of the various selection methods outlined in political agreements or utilized by preparatory committees. In the DRC, the Lusaka Agreement authorized a mutually agreed upon neutral facilitator to consult with the Congolese parties on what political opposition and civil society groups to invite to the ICD.\textsuperscript{190} The facilitator visited all 11 provinces in the DRC to supervise the designation of representatives for political opposition and civil society.\textsuperscript{191} The facilitator initially chose 15 opposition parties but later invited an additional 18 parties because the array of opposition groups made it difficult to

\textsuperscript{187} National Dialogue Conference, \textit{Membership Selection Mechanism}.
\textsuperscript{188} National Dialogue Conference, \textit{Membership Selection Mechanism}.
\textsuperscript{190} Lusaka Ceasefire Agreement Annex A (Democratic Republic of Congo 1999).
\textsuperscript{191} Shelly Whittman, \textit{Women and Peace-building in the Democratic Republic of the Congo: An Assessment of Their Role in the Inter-Congolese Dialogue}, \textsc{African Journal of Conflict Resolution} 1, 36 (2006), \textit{available at} http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?ots591=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233&lng=en&id=98120.
define the parties. The Preparatory Committee then reviewed the facilitator’s recommendations to determine which groups would ultimately participate.

Allocating Seats Among Constituencies

After identifying the official constituencies to participate in a NPD, preparatory committees and dialogue organizers may need to decide the number of participants in the dialogue and the percentage of representation of each constituency when the numbers are not provided by an agreement. A smaller dialogue could lead to easier consensus building but fall short in inclusivity. A larger dialogue may be inclusive but not an appropriate forum to discuss certain contentious issues. Specific determinations can be made in consultation with international experts or by employing a domestic preparatory committee. NPDs can vary substantially in size, from as few as 84 participants in Guatemala’s Grand National Dialogue, to 565 participants in the Yemen’s National Dialogue Conference, to approximately 1,500 participants in Afghanistan’s Loya Jirga.

Assistance from International Experts

Many dialogues make participant decisions with input and assistance from international experts. In Yemen, the Technical Committee could not agree on the allocation of seats among the dialogue participants so the Yemeni president asked the UN Special Envoy to Yemen, to determine the size and composition of the constituencies. The TC accepted the Special Envoy’s proposed 565-seat

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conference and plans for distributing seats among political parties, civil society, youth and women’s groups not associated with political parties, and regional ethnic groups.¹⁹⁹

*Decision by Preparatory Committee*

Some preparatory committees determine the dialogue constituencies. In Niger, the state initiated a National Conference to discuss the transition, and tasked a preparatory committee with determining the dialogue constituencies.²⁰⁰ Most of the constituencies to the dialogue were allowed 100 delegates, but the armed forces delegation, which included the military, police, and national guard, was only allowed 40 delegates.²⁰¹ Given Niger’s history of successive authoritarian military governments preceded the state’s first democratically elected government, the comparatively small representation of the military in the National Conference reflected the public’s desire to weaken the military’s influence in the newly democratic state.

*Selecting Individual Participants Within Constituencies*

After identifying the size and composition of the constituency to the dialogue, the next step is to choose the individual delegates who will make up each constituency. Common selection mechanisms for individual delegates include: (1) elections; (2) appointment processes; and (3) hybrid mechanism involving appointments by preparatory committees or the executive.

*Elections*

Dialogue preparatory committees may use an electoral process to choose individual participants within NPD constituencies. Elections can incentivize the creation of new political parties and organizations to organize themselves to represent others. Another advantage is that civil society can directly communicate with other key decision makers. However, the election process can be very

competitive, and it may allow political and military elites to continue to dominate the process.²⁰²

Proportional Representation within Constituency Groups

Depending on the context, candidates who are interested in representing a region or constituency can run in the elections.²⁰³ Each individual in the dialogue typically represents a group of constituents from a certain sector of society.²⁰⁴ For instance, to select delegates for Afghanistan’s Emergency Loya Jirga, each district, provincial center or municipal ward elected its own representative members. The number of delegates for each region was proportional with its population.²⁰⁵ Afghanistan used an indirect electoral process where electors were chosen who then voted for the representatives constituting about two thirds of the ELJ. The Loya Jirga Commission appointed the remaining third.²⁰⁶ The selection process in Afghanistan successfully brought different groups of Afghan society to the Loya Jirga and ensured the participation of women.²⁰⁷

Two-Track Election

A representative and fair election process can contribute to the overall legitimacy and effectiveness of a NPD. To ensure election of representative delegates from constituencies, parties may employ a two-track election process. To prepare for the “all-party talks” that led to the Good Friday Agreement, Northern Ireland instituted a two-track election process where 18 districts each

elected five representatives to represent their respective district in the talks. The people voted for particular political parties, and the ten political parties that received the most votes received an additional two representatives chosen through a second round of voting. This method of electing dialogue participants ensured that there were delegations representing all of the main communities and political parties in the talks. Many have credited the representative electoral process for selecting dialogue participants with the public’s acceptance of the Good Friday Agreement outcomes.

**Internal Appointment Process**

Constituencies may internally decide their representatives, or interested parties may nominate themselves to become part of the NPD. Allowing the individual constituencies to determine their own selection mechanisms can instill legitimacy in the dialogue process. Internal appointment can also ensure that some of the broadly defined constituencies, such as women and youth, are represented. This may lead to a better-organized and cohesive delegation in the national dialogue with clear and well-articulated goals. However, some may view this method as illegitimate if the self-selection process is not transparent and the constituency fails to conduct broad consultations.

In some NPDs, preparatory committees provide the number of delegates allowed per constituency, but leave the decision of choosing individuals delegates to the parties. For instance, in 1987, the Guatemalan government tasked the National Reconciliation Commission (CNR) with organizing Guatemala’s Grand National Dialogue (GND). The CNR convened the GND in 1989 and included

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official delegations from the government, opposition parties, and civil society. This gave civil society and women the opportunity to participate more extensively in the peace process. Additionally, the inclusive self-selection process helped shift perceptions that the state could have a political rather than military solution.

**Hybrid Method**

Using a hybrid method, preparatory committees or the executive can appoint delegates directly, in addition to reviewing and approving individual applications to participate in a NPD. The element of individual applications increases inclusivity and accessibility of a NPD, while preparatory committee’s direct involvement can be useful for more loosely organized constituencies. However, some may view this mechanism as overreaching.

In Iraq, the High Preparatory Committee (HPC) directly appointed many of the delegates to the Iraqi National Conference. The 100 members of the HPC, mostly comprised of the major political blocs, automatically received seats as representatives to the conference. Additionally, the HPC appointed another 360 delegates from various constituencies. In addition, the HPC appointed seven-member provincial supervisory committees in each of Iraq’s 18 provinces to select the provinces’ delegates to the National Conference. Individuals interested in participating could submit applications to the committee, who then selected the participants after a period of deliberation.

In Afghanistan, in addition to elections in each district, provincial center or municipal ward, women’s civil society organizations nominated women delegates. A Special Independent Commission, working in cooperation with the...

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United Nations, then selected the official representatives to the respective delegation from the pool of nominated individuals. Further, in Afghanistan, any resident could submit an application to be considered to represent a provincial ward. This self-nomination process successfully provided a platform for constituencies whose voices were usually ignored in political discourse. However, the inclusiveness of the dialogue was ultimately overshadowed by the dominance of political elites during the dialogue.

221 *Procedures for Afghanistan’s Emergency Loya Jirga* art. 9 (2002).
The box below provides a more detailed description of the participant selection processes for Yemen’s National Dialogue Conference, including the involvement of international actors and the specific mechanisms for allocating seats among constituencies.

### Participant Selection for Yemen’s National Dialogue Conference

In Yemen’s National Dialogue Conference (NDC), the Technical Committee’s (TC) was responsible for deciding the size and composition of the dialogue, and the President had the authority to make final decisions on all appointments by the TC. When the TC could not agree on the allocation of seats, the Yemeni president then asked Jamal Benomar, the UN Special Envoy to Yemen, to propose the size and composition of the constituencies. The TC accepted Benomar’s proposed 565-seat conference to be distributed between political parties, civil society, youth and women’s groups not associated with a political party, ethnic and regional groups. Among 565-seats, youth, women’s groups, and civil society each had 40 seats, and 62 seats were set aside for President’s appointment from “other entities.”

In the process of selecting representatives of the constituencies, the Yemeni president assigned the 62 seats to tribal dignitaries, religious leaders and representatives of religious minorities, including Jews, who would otherwise be left out of the dialogue process. Some commentators have remarked that this structure signaled a societal change towards inclusiveness in Yemen’s transition.

To fill the 120 seats each assigned to women, youth, and civil society organizations, the TC created the Selection Advisory Committee to widely disseminate the call for submission of applications to participate in the dialogue. The TC further created two seven-member committees to each focus on selection of delegates from the Northern and the Southern governorate. The women and youth groups sent in applications to the Selection Advisory Committee. The TC then reviewed applications and selected 40 women and 40 youth groups. The civil society organizations also sent in applications to the Selection Advisory Committee. The Selection Advisory Committee submitted 40 organizations for TC’s review, and TC selected 20 organizations out of 40. Those 20 organizations had two representatives each at the dialogue. The TC submitted the list to the President for approval and notified the selected participants. Many commentators credited this selection process with more inclusive and productive negotiations.

### Conclusion

State practice demonstrates that a NPD is often only as successful as its participants are representative and engaged in the process. Establishing participation standards for a NPD is thus often one of the most important tasks for parties preparing for a NPD. Moreover, selecting participants is generally an
extensive three-part process requiring careful consideration and planning—(1) selecting constituencies and verifying their legitimacy as stakeholders in the dialogue; (2) allocating seats among the constituencies; and (3) selecting individual participants to fill the constituencies’ seats. The next chapter will continue to build upon the materials from the last four chapters to focus on establishing the internal governance and leadership structures necessary to facilitate a successful dialogue.
CHAPTER 5:
GOVERNANCE AND LEADERSHIP STRUCTURES

Introduction

A dialogue’s governance structure encompasses the mechanisms that parties establish to oversee the dialogue process and to resolve any administrative issues critical to the success of the NPD. Governance structures are often crucial to the success of a NPD because they clarify participants’ roles and responsibilities, offer means for decision-making, and help to provide structure to the NPD’s processes. Weak or vague governance structures can distract NPD participants from substantive issues, offer opportunities for manipulation by powerful parties, fail to provide sufficient administrative and technical support for NPD, and generally limit the NPD participants’ ability to effectively reach key dialogue outcomes. As such, parties preparing for the dialogue can establish governance structures tailored to the specific context of a particular NPD’s processes and goals. Though it is crucial to establish NPD governance structures before the first dialogue sessions, some structural elements may emerge only after the dialogue begins.224

Generally, NPD governance structures involve a hierarchy of authorities. This hierarchy typically consists of (1) the leadership, in the form of a Presidency or governance committee; (2) impartial facilitators serving governance functions; (3) the Secretariat General, which supports the NPD process by providing logistical and technical assistance; and (4) specific committees to facilitate consensus or assist participants in reaching agreement or consensus on contentious issues. Together, these elements of a NPD’s governance structure can operate to ensure that the basic functions of the dialogue are fulfilled and that the dialogue processes move towards meaningful outcomes in adherence with the NPD’s mandate and agenda.

NPD Leadership Structures

One or more interested parties may take on the leading role(s) within a NPD governance structure. NPD leaders and their specific roles typically vary depending on the context and scope of the dialogue. For instance, leadership can

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take the form of a NPD presidencies or governing committees, which may oversee the entire dialogue with support from an administrative or technical experts or personnel with symbolic significance. In other instances, impartial facilitators may lead the NPD process, serving similar functions as a NPD Presidency.

A centralized leadership entity can be essential for conducting a successful NPD process because a NPD without a clear governing entity may get off track or devolve due to disorder or mismanagement of dialogue proceedings. For instance, in Lebanon, the Ta’if Accord failed to sufficiently provide for, among other things, a centralized leadership entity to facilitate and govern Lebanon’s dialogue.\footnote{Ta’if Accord art. II, Sec. G. (Lebanon, 1989), available at http://www.un.int/wcm/webdav/site/lebanon/shared/documents/Constitution/The%20Taif%20Agreement%20(English%20Version)%20.pdf.} As a result, Lebanon lacked a mechanism for moving the dialogue process forward, and the Ta’if Accord never yielded a meaningful national dialogue for Lebanon.\footnote{Hassan Krayem, The Lebanese Civil War and The Taif Agreement, AMERICAN UNIVERSITY OF BEIRUT, (1997), available at http://ddc.aub.edu.lb/projects/pspa/conflict-resolution.html.}

**NPD Presidencies**

NPD presidencies can be multi- or single-member entities consisting of one or more political leaders, technical experts, or other persons with symbolic significance or political influence. NPD presidencies generally oversee and lead the broad dialogue processes. Some NPD presidencies have the authority to call emergency meetings, to represent or speak for the NPD as a collective entity, or to resolve disputes beyond the jurisdiction of the working groups or separate committees designed to facilitate consensus on specific issues.

In Yemen, the National Dialogue Conference (NDC) Presidency consisted of nine members, including Yemen’s President Abd Rabbuh Mansur Hadi and eight other political leaders selected through a nomination and approval process designed to ensure the NDC Presidency was representative of the dialogue’s stakeholders.\footnote{NDC Presidency, National Dialogue Conference (Jan. 18, 2015), available at http://www.ndc.ye/page.aspx?show=92.} This broad and representative Presidency helped to ensure Yemen’s NDC was responsive to the changing circumstances and concerns of the dialogue participants. For instance, when Yemen’s Southern Movement protested the NDC closing plenary session for the Southern issue, the Presidency listened to the concerns from the Southern Movement and helped to facilitate continued
discussions over the issue. The Presidency also served as a sort of spokesperson for the NDC and presented the NDC’s official positions to the media.

Unlike Yemen’s nine-member NPD Presidency, the Presidency for Guatemala’s Assembly of Civil Society (ASC) Dialogue had only one member. The Episcopal Conference of Guatemala appointed Bishop Rodolfo Quezada Toruño as the ASC Dialogue’s president. Under the ASC Framework Accords, the President could convene the dialogue assembly, organize its deliberations with the assistance of the Organizing Committee, and promote consensus on substantive issues. Moreover, the President served as a conduit between the UN and the dialogue participants, with a mandate to transmit the ASC recommendations and guidelines, participate in special meetings convened by the UN and the parties, and promote the ASC’s endorsement of bilateral agreements on substantive issues. Guatemala’s ASC Dialogue, which was a smaller dialogue designed to complement the broader Grand National Dialogue, was able to operate effectively with a single-member NPD presidency because of the smaller scope and limited mandate of the dialogue itself. Issues of inclusiveness or representation were of more concern for the Grand National Dialogue, which had more participants and a broader agenda.

**NPD Governance and Management Committees**

As a distinction that may exist more in name than in function, some NPDs feature governance or management committees at the top of their governance structures, instead of NPD Presidencies. These committees may sometimes exist as preparatory committees for establishing a dialogue, and they then take on the role of a governance or management committee after the commencement of the dialogue itself.

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230 The ASC had a mandate to conduct a dialogue and formulate positions on the substantive themes of the bilateral negotiations and to provide its recommendations or guidelines on these themes to the parties. The ASC Dialogue followed Guatemala’s broader Grand National Dialogue and Oslo Consultations and was designed to complement those dialogue processes by facilitating further consensus on five additional topics. Framework Accord art. III (Guatemala, 1994), available at http://www.c-r.org/sites/c-r.org/files/Acord%202013_10Guatemala%20key%20texts_2002_ENG.pdf.
231 Framework Accord art. III (Guatemala, 1994).
232 Framework Accord art. III (Guatemala, 1994).
For instance, Rwanda’s NPD featured a National Unity and Reconciliation Commission (“NURC”), which served as both a preparatory and governing committee to Rwanda’s NPD.\(^\text{234}\) The NURC was an arm of Rwanda’s executive branch and was thus highly accountable to Rwanda’s existing executive powers. Specifically, the NURC was comprised of 12 members appointed by a Presidential order,\(^\text{235}\) and Rwanda’s president could replace the NURC members at any time, regardless of whether their three-year terms had expired.\(^\text{236}\) Within the NURC, there were additional organizational and governance structures, including a Board of Commissioners, the Supreme Organ, and the Executive Committee of the Commission, which was comprised of the President and Executive Secretary.\(^\text{237}\)

Unlike Rwanda’s NURC, which was accountable to existing government structures, South Africa’s CODESA dialogue had an independent Management Committee tasked with the overall political guidance of the dialogue. The Management Committee was highly representative and consisted of one delegate and one advisor from each political party participating in the dialogue.\(^\text{238}\) Moreover, the Management Committee oversaw the operations of the five CODESA working groups to ensure they fulfilled their mandates and adhered to the broader dialogue agenda. All of the working groups presented their reports to the Management Committee, which would then table the proposals at the CODESA plenary for approval and ratification.\(^\text{239}\)

**Governance and Leadership Roles for Impartial Facilitators**

Instead of relying on a NPD leadership entity comprised of existing political leaders or representatives of the NPD participants, some NPDs rely on impartial facilitators to fulfill the leadership and management roles of the NPD. The use of impartial facilitators can help ensure that the NPD structure serves all stakeholders

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236 Law No. 03/99 art. 12 (Rwanda, 1999).
in conducting the dialogue, which may lead to greater cooperation among stakeholders. Where a state elects to use a high-profile facilitator to assist with the NPD’s governance structure, the public may perceive the process as more legitimate if the facilitator is also widely respected. However, establishing a facilitator-led governance structure can impact participant ownership and buy-in to the NPD process. Despite the impartiality of the facilitator, participants may desire greater inclusiveness and representation within the NPD leadership structure.

Many international facilitators have fulfilled leadership roles within NPD structures. For instance, the former U.N. Secretary General Kofi Annan facilitated the Kenyan National Dialogue after playing an important role in ending the 2008 post-election violence in Kenya. In addition, the African Union appointed a Panel of Eminent Personalities to support Annan’s mediation efforts. The Kenyan National Dialogue concluded with a power-sharing agreement and a longer-term agenda for peace. In contrast, Bahraini Crown Prince Salman Bin Hamad Bin Isa Al Khalifa convened the Bahrain National Dialogue, with the Bahraini government performing the role of the dialogue facilitator. As a result, many questioned the legitimacy of the Bahraini National Dialogue from its inception, and the process failed to advance democratic or social reforms.

NPD Secretariat

A Secretariat supports the work of the NPD leadership by overseeing the administration of the dialogue, such as providing technical support and coordinating logistics. A Secretariat may be comprised of several different

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divisions or departments, which provide specialized services to the NPD. Typically, a Secretary General, his or her deputies, and a large support staff lead a Secretariat.

Yemen’s NDC Secretariat General was responsible for providing support for all aspects of the dialogue, including: (1) administering all conference proceedings, (2) providing all the logistical support for the dialogue, (3) implementing a media plan, (4) conducting public outreach and education, and (5) maintaining documentation and record keeping procedures. A Secretary General and two Deputy Secretary Generals led the NDC Secretariat General. The Secretariat was comprised of eleven distinct departments, all with their own duties and responsibilities, and support staff.248

For the CODESA process in South Africa, the Secretariat played more of a supportive role. Specifically, the CODESA Secretariat and a Daily Management Committee worked closely together to support the efforts of the Management Committee, which fulfilled many of the dialogue leadership mechanisms.249 The Secretariat and Daily Management Committee were responsible for implementing all the decisions of the Management Committee.250 Similarly, the Steering Committee of the Lebanese National Dialogue served a supportive role by providing advice, knowledge resources, and strategic facilitation support to other dialogue mechanisms and internal leadership structures.251

**Committees Responsible for Administration**

NPD Secretariats are generally responsible for administrative functions, such as budget, finance, and security at the venues. Some NPDs create a department under the Secretariat to carry out these functions, while other NPDs may contract

248 These eleven specialized departments were: (1) Information Technology; (2) Conference Security; (3) Communications and Media; (4) Operations; (5) Finance and Budget; (6) Human Resources; (7) Delegate and Member Relations; (8) Internal Auditing; (9) Community Participation; (10) International Cooperation and Technical Support; and (11) Archiving and Documentation. National Dialogue Conference, *NDC Secretariat General*, available at http://www.ndc.ye/page.aspx?show=59.


250 South African History Online, *Chapter 6 – Defining the Agenda*.

an external party to take on the logistical aspect of the dialogues.

In South Africa, Multi-Party Negotiation Process (MPNP) contracted the Consultative Business Movement on a non-profit cost basis to provide the administrative and secretarial back up necessary for the MPNP.\(^{252}\) In Yemen, the Finance and Budget Department of NDC Secretariat General was responsible for (1) processing bank account information for all dialogue participants and support staff; (2) transferring stipends and salaries into participants’ and staff bank accounts; (3) facilitating payment allowances for security costs; (4) following-up and implementing all administrative processes in associating with different departments; (5) responding to all inquiries and handling conference participants' complaints; (6) archiving operational expenses and making all financial information available to dialogue leadership.\(^{253}\) In addition, the Conference & Security Department was responsible for providing a secure atmosphere for NDC members, as well as securing the headquarters of NDC Secretariat General and the venue of NDC meetings.\(^{254}\)

Another important administrative function for NPDs is accurate record keeping. Yemen’s NDC featured an Archiving and Documentation Committee, which was responsible for recording and documenting conference activities, archiving soft and hard copies of all documents relevant to the NDC process, and participating in the development of regular reports.\(^{255}\)

**Advisory Committees**

NPD Secretariats may also include committees with specific advisory roles to further the dialogue process.\(^{256}\) The advisory committees may also ensure that the NPD agenda moves forward by monitoring decisions and policies and by helping to plan implementation processes for dialogue outcomes.\(^{257}\)


In Lebanon, for instance, the Steering Committee for the National Dialogue worked with the Common Space Initiative which offers designing and facilitation services for formal and non-formal structured dialogues among policy makers. Consisting of qualified Lebanese researchers and project staff with assistance from an international senior advisor, the Common Space Initiative has provided technical and research support to formal and non-formal national dialogues and consensus building initiatives in Lebanon.258

In Yemen, the International Cooperation & Support Department was responsible for providing technical assistance to the nine working groups, including identifying qualified experts to facilitate the working group dialogues and monitor the implementation of work plans. The Department was also responsible for identifying international experts, and managing relationship with international organizations providing support to the NDC, such as the UN Special Advisor to Yemen, Jamal Benomar.259 Moreover, Yemen’s NDC governance structure featured a Standards and Discipline Committee, which consisted of seven judiciary and administrative figures known for their integrity, impartiality, efficiency, and high moral standing. The Committee presided over violations and abuses of NDC rules and procedures.260

Public Outreach Committees

The Secretariat also may create a committee responsible for outreach efforts to either initiate public outreach, or take over the work of the preparatory committee. During national dialogues for constitution drafting, the constitutional commissions may be responsible for conducting public outreach.261 For more information on public outreach, please refer to Chapter 6.

Committees Facilitating Consensus

Some NPDs establish a consensus building committee or a negotiating council to work with the thematic working groups to facilitate decision-making during the dialogue. A consensus committee plays an important role in NPD

governance structure by helping to resolve disputes and generate consensus based on inclusive discussions. Consensus committees can function as a mediation or deadlock-breaking procedure. In Yemen, the parties formed a Consensus Committee to assist working groups in reaching consensus on controversial issues. The parties designed the committee to be inclusive, representing all political components and including the chairpersons of all the working groups. Yemen’s Consensus Committee was also comprised of the members of the NDC Presidency, the chairs of each working group, and members of the Technical Committee to ensure the legitimacy of the NPD’s governance structure, members of the Consensus Committee were also required to be representative of the political components of the NPD.

Sometimes, consensus committees facilitate consensus through multi-step processes, such as the development of specific strategies, bilateral negotiations, and breaking deadlocks. For instance, during the South African Multi Party Negotiation Process, the parties submitted their positions to the Negotiating Council. The Negotiating Council had seven technical committees comprised of non-party political experts, which submitted reports on substantive issues to the Negotiating Council through a Planning Committee. The Negotiations Council developed strategies to address the substantive details and facilitate bilateral bargaining. The Negotiations Council then sent the results to the plenary session, which used parliamentary procedures for decision-making. While this approach may be complicated, the mechanism provided effective solution where a consensus formation among the parties would be difficult. For additional information on building consensus in NPDs, please refer to Chapter 7.

Conclusion

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Both during NPD preparations and throughout NPD discussions, the entire dialogue process requires extensive management and coordination to ensure the parties make progress towards meaningful dialogue outcomes. Moreover, NPD proceedings often encounter situations that necessitate effective governance and leadership structures to coordinate dialogue activities, maintain momentum in discussions, manage logistics, build consensus among parties, and resolve internal dialogue disputes. Successful dialogues often exhibit strong leadership structures with specific governance and leadership mandates. Chapter 6 will explore one of the most important tasks for NPD governance, management, and leadership structures: facilitating public outreach and input throughout the dialogue.
CHAPTER 6:
PUBLIC OUTREACH & INPUT

Introduction

Because many of the participants in a NPD come from larger political parties or opposition groups, which can be disconnected from other groups or the population at large, incorporating public input and feedback to the NPD process can be crucial for increasing legitimacy, transparency, and public buy-in. Therefore, planning public outreach mechanisms is an important part of preparing for and implementing a successful NPD process.

To facilitate public outreach activities, NPD preparatory committees or other NPD facilitators typically design mechanisms to regularly provide information about the NPD process to the public, for receiving public input on the dialogue process, and for incorporating public input into the NPD discussions and outcomes. Common activities for conducting effective public input initiatives include: (1) preparing early on for receiving input and designing input mechanisms; (2) conducting multiple phases of outreach before, during, and after the dialogue; and (3) processing the input through effective collection and incorporation means. Effective preparation, timing, and processing can help the public to understand the dialogue process and support the dialogue’s outcomes.

Early Preparations for Public Outreach

Effective efforts to educate the public about a NPD, incorporate public opinions into NPD discussions, and encourage public support and participation in the dialogue process requires detailed planning and preparation during the early stages of preparing for the NPD. Public outreach efforts during a NPD generally include both public education and public consultation. Public education generally begins during the preparatory phases of the NPD, as it informs the public about what topics are to be discussed at a NPD, provides the public with the necessary

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mechanisms to develop and convey informed opinions on dialogue topics, and helps to determine which issues are most pressing to the broad population.\textsuperscript{271}

Public consultation efforts generally start after the initial public education initiatives. Public consultation involves two-way communication between government and the public, through which there is a feedback loop of perspectives on issues and proposals, which provides the public with opportunities to influence government’s decisions.\textsuperscript{272} Some key foundational steps for preparing for a public outreach campaign for a NPD include delegating responsibility for public outreach and arranging logistics, including creating a preliminary budget for public outreach and developing methods for public communication.

\textit{Delegating Responsibility for Public Outreach}

Parties to a NPD may delegate responsibility for conducting public outreach to different entities, including: NPD preparatory committees, specialized outreach units, or civil society organizations. Ensuring the responsibility includes logistical planning and preparatory work for public outreach can increase its effectiveness in achieving meaningful public input throughout a dialogue.

\textbf{Preparatory Committees & Public Outreach}

Preparatory committees work to address the initial technical issues of conducting a broad dialogue, including conducting public outreach and facilitating public input. In Libya, for instance, the preparatory committee for the NPD planned and implemented a public outreach campaign across the state.\textsuperscript{273} The public outreach campaign included meetings around with local leaders and citizens across Libya.\textsuperscript{274} The campaign increased public visibility for the dialogue, and at the same time helped to engage a range of stakeholders from Libya’s fragmented political landscape.\textsuperscript{275} In Afghanistan, the preparatory Special Independent Commission for the Convening of the Emergency Loya Jirga published and widely disseminated the rules of and procedures for the dialogue more than 10 weeks

before the dialogue was scheduled to take place, in an effort to increase public education about the dialogue process.276

Secretariats & Public Outreach
In some dialogues, the task of public outreach may be delegated to the dialogue secretariat. Typically, the secretariat is the arm of the dialogue that provides support to the leadership of the NPD and is in charge of all aspects of the administration of the dialogue, including logistics, media communications, community outreach and education, and documentation. Unlike most preparatory committees, secretariats can have mandates that begin during dialogue preparations and extend through the dialogue process, meaning they can engage in long-term public outreach efforts. Afghanistan’s Constitutional Loya Jirga dialogue process relied on the Constitutional Committee Secretariat to conduct public outreach—unlike the Emergency Loya Jirga dialogue process, which relied on a preparatory committee for public outreach.277 The Secretariat held public meetings, distribution of posters, newspapers, and radio and television programs targeting ordinary citizens as well as delegates to the Constitutional Loya Jirga.278

External Outreach Unit
When the dialogue is a part of drafting a new constitution, the parties sometimes choose to create an external outreach unit. An outreach unit’s responsibilities may include educating the public about the NPD document drafting process, providing a forum for dialogue on constitutional issues, and reporting comments to the drafting commission. However, it is important for the outreach unit to establish plans and logistical arrangements before the public input process begins. For instance, as a part of Rwanda’s dialogue process, the Rwandan Constitutional Commission was responsible for public consultations. The Commission sent out a 60-question questionnaire for literate citizens and conducted group discussions on constitutional issues with illiterate citizens.279 The Commission consolidated public responses into a booklet that it redistributed to the

276 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(3) (Afghanistan, 2001).
public to collect additional feedback.\textsuperscript{280} This process helped ensure public consensus on important constitutional issues.\textsuperscript{281}

Alternatively, during Iraq’s national dialogues as a part of its constitutional drafting process in 2004, the National Assembly created an outreach unit with a mandate to provide constitutional information to the public, analyze public responses to a constitutional questionnaire, and report back to the Constitutional Committee.\textsuperscript{282} However, public input was largely excluded from the constitutional drafting process because the outreach unit failed to complete their report on time due to logistical concerns.\textsuperscript{283} The outreach unit only had 8 weeks to conduct outreach and did not have sufficient resources or security to conduct outreach in a wide range of communities.\textsuperscript{284}

In Yemen, the National Dialogue Conference (NDC) Secretariat General established a Community Participation Unit conduct public outreach and communication efforts, ensure that the interests of Yemeni citizens were taken into account, guarantee that every citizen had to the opportunity to participate in the dialogue. The Unit engaged with civil society organizations to facilitate community outreach, as well as led community discussions so that Yemeni voices could be incorporated into the NDC.\textsuperscript{285}

\textit{Deciding Methods of Public Outreach}

To complete a successful public outreach campaign, the preparatory committees or other NPD facilitators may determine in advance how the entity tasked with outreach will communicate with the public and gather information. Establishing targeted and effective methods of public communication tailored to

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the conditions in a particular state can aid in the level of participation in the public input process. Many NPDs will rely on local level public meetings, seminars, or workshops to broaden public outreach. In Libya, the preparatory committee conducted outreach by holding physical meetings in various cities to meet with local authorities and citizens and collect their inputs on discussion items for their NPD. Yemen used similar grassroots level meetings and support from local CSOs and research centers to conduct public outreach seminars and workshops.

NPD public outreach efforts may also incorporate creative uses of various communications technologies and other public communication methods. For instance, South Africa and Rwanda both effectively used creative communication methods such as telephone hotlines, public meetings, and civil society outreach. Yemen’s NDC Community Participation Unit built “NDC tents” in public places, which featured televisions for the public to watch NDC activities, as well as Secretariat General representatives who could answer questions about the dialogue process. The Unit further led a broad public outreach media campaign that used national and local television and radio broadcast capabilities to disseminate information about the dialogue to the public, as well as transmit public opinions to the dialogue participants.

Though there are a variety of methods that can be used to gather public input, not every method will be effective in every state, or even within every region in a state. Keeping that in mind, it can be beneficial for NPD facilitators to carefully consider the unique conditions of the state when deciding on which public outreach approaches to use, such as availability of internet and road conditions. For instance, in Yemen, the NDC set up a website and twitter feed to communicate with the public but this did not increase public awareness because

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290 National Dialogue Conference, Community Participation FAQ.
Yemen had extremely low Internet usage rates.\textsuperscript{291} However, Yemen was able to reach more than a million people through a text message campaign.\textsuperscript{292} Both South Africa and Rwanda faced issues with illiteracy, so both states relied on telephone communications and public meetings, instead of written publications, to reach illiterate members of the public and inform them about the states’ dialogues.\textsuperscript{293}

\textit{Logistical Arrangements & Budgeting for Public Outreach}

Addressing logistical concerns is a crucial component of preparing to engage in public outreach and receive public input. A preparatory or technical committee generally conducts this work by addressing concerns regarding duration, venue, resources, security, staff, and any other identified logistical concerns related to a public outreach campaign.\textsuperscript{294} These committees generally develop a budget and secure funding sources before making other logistical arrangements because the scope of the budget impacts the design and function of public outreach and input activities.

Developing a preliminary budget entails that the entity organizing the participatory process estimate its resources and determine how much money it will need to carry out its duties. The total cost of the public education, outreach, and participation programs will depend on the methods used. NPDs can incur very large costs, but the amount spent on NPDs and public participation specifically varies from state to state. For instance, Kenya spent an estimated $88 million, or $2.57 per person, on its outreach and participatory process, including the public referendum to approve the constitution after the dialogue.\textsuperscript{295} Yemen also spent a significant amount of money on public outreach and participation, approximately

$40 million in total.\textsuperscript{296} In contrast, Rwanda spent only $7.5 million on its entire NPD process, including public outreach.\textsuperscript{297} International organizations and other state governments may provide funding for public education and participation programs.

**Conducting Multiple Phases of Public Outreach & Input**

Public outreach efforts during a NPD generally involve multiple phases, including a pre-dialogue public education phase, a public consultation phase, and a post-dialogue communications phase. Broad participation during these phases can help to legitimize a NPD by putting forward the issues that are relevant to the general public and to the future of the state, as well as broadening the actors involved in the dialogue process.\textsuperscript{298} In the public education stage, the parties seek to educate citizens about the importance of a dialogue and how citizens might participate in public consultation efforts. In the public consultation phase, the parties encourage statewide dialogue on constitutional issues by soliciting public feedback.\textsuperscript{299} Public consultation involves two-way communication between government and the public, through which both become informed about perspectives on issues and proposals—this two-way communication provides the public with opportunities to influence government’s decisions.\textsuperscript{300}

Throughout these stages, the parties to a NPD can rely on many communication methods for reaching the public and seeking input. As discussed in the section on preparation, it is often beneficial to set up a structure for communicating with the public and obtaining input before the outreach process begins. Effective methods of communication and obtaining information take the conditions of the state and its citizens into account.


Pre & Mid-Discussion Public Education

Public education efforts can help provide information about what topics are to be discussed at a NPD, provide the public with the necessary elements to convey an informed opinion on the dialogue topics, and help determine which issues are most pressing for the broad population. Programs that effectively educate the public before NPD process provide information that the general public easily understands. Successful public education programs typically address both the procedural and substantive components of the NPD process, help to translate materials into all relevant languages, and facilitate the rapid and timely distribution of educational materials about the dialogue. During the dialogue, ongoing public education efforts can continue to keep the citizens informed of the progress of the NPD and any changes in the process.

Pre-Discussion Public Education

Pre-discussion public education mechanisms can include establishing civic education workshops, developing a national curriculum and training local instructors, public broadcasts on radio and television, broad publications of informative print material, and even text message or social media campaigns. The most effective methods of communicating with the public before a NPD can vary depending on the information being conveyed, the available resources, the timeframe for drafting, and various local circumstances, such as literacy rates and linguistic diversity.

As part of its constitution drafting and dialogue process, Rwanda organized a broad-based and wide reaching public education program employing thousands of people to travel through Rwanda for six months to educate the public and encourage discussion. During the Multi Party Negotiation Process (MPNP) in South Africa, the government created a new Media Department, which initiated a print, radio and television campaign to explain the constitutional reform initiatives,

and to provide means for the citizens to comment on draft issues list prepared by the drafting committees.\textsuperscript{304} In addition, over ten million people per week listened to the Constitutional Assembly’s show on the radio and nearly 160,000 South Africans received the Assembly’s \textit{Constitutional Talk} newsletter.\textsuperscript{305} This led to increased awareness and understanding of the constitutional drafting process.\textsuperscript{306}

\textit{Mid-Dialogue Public Education}

During the NPD, parties keep informing the public about the discussions and decisions made during the dialogue. Parties may decide to institute a spokesperson, publish press releases as well as regular reports. In Kenya, the dialogue had a website where the parties posted all public press releases and relevant documents. The press releases included speeches made by Kofi Annan, who led the Eminent Panel of African Personalities, as well as statements updating the public on the progress during the dialogue.\textsuperscript{307} In Yemen, the Archiving and Documentation Department under the Secretariat General participated in the preparation of weekly and monthly reports on the NDC.\textsuperscript{308} The weekly reports were published on the NDC website, along with news on the Secretariat General and each Working Groups. Additionally, each working group had a page on the NDC website, which linked to their Facebook page where the citizens could leave messages.

\textit{Public Consultation}

A successful NPD process does more than merely educate the public on the process—it also actively consults the public and gathers public input. For the process to achieve these objectives, it is important that the dialogue participants be committed to a credible and transparent process where the concerns of the people

\textsuperscript{308} Archiving and Documentation Department, NDC, \textit{available at http://www.ndc.ye/page.aspx?show=103}.
are addressed and where they know that their opinions and concerns will be taken into account.\textsuperscript{309}

For instance, Yemen used a wide range of mechanisms to promote public education and public consultation during its NDC. Specifically, Yemen’s NDC Technical Committee (Preparatory Committee) organized a series of town hall meetings before and during the NDC, which were televised around the state, helped publish and distribute reports from the NDC, and created programs for public input through text messages and social media.\textsuperscript{310}

Relatedly, during the Multi-Party Negotiation Process (MPNP) in South Africa, the Constitutional Assembly obtained input from the public on issues to be considered by the Assembly in the constitution drafting process\textsuperscript{311} by inviting the public, through major newspaper advertisements,\textsuperscript{312} to present written submissions or oral statements at public meetings, telephone submissions, and online submissions.\textsuperscript{313} Local civil society groups helped the Assembly conduct face-to-face outreach in rural communities and areas low literacy rates.\textsuperscript{314}

While there was a high level of participation in the consultation process in South Africa, there were concerns about the process’ representativeness because most of the written submissions were received from well-educated population, the middle class, professionals, academics, and political activists.\textsuperscript{315} Additionally, because of the volume of submissions, the process gave more weight to submissions from organizations than individual members of the public.\textsuperscript{316}

\textit{Post-Discussion Public Education}


A NPD often releases outcomes documents to the public accompanied by press releases. In informing the public about developments within the NPD, media or public relations committees can perform the important role of publicizing the NPD outcomes. Furthermore, publicity for the outcomes can serve as an accountability tool by incentivizing leaders to implement the outcomes.\(^{317}\) For instance, the Yemen National Dialogue Conference presented its Final Document of outcomes to the public through the media and the NPD’s website.\(^{318}\) In South Africa, the Constitutional Assembly produced a finalized draft of the Constitution as a result of MPNP. The Constitutional Assembly sent out 7 million copies in South Africa’s eleven official languages.\(^{319}\) For more information on dialogue outcomes, please refer to Chapter 10 of this Handbook.

**Processing Public Input**

Successful NPDs take further steps from educating the public and receiving feedback. A successful NPD gathers public input and incorporates this input into the dialogue process. Incorporation of public input ensures that the public feels engaged in the process, and also ensures transparency. Incorporation of public input is especially crucial in a dialogue process where constituencies do not have fair representations.

**Collecting Information**

After engaging in public consultations, the parties to the NPD can engage in a transparent process of carefully considering the accumulated public views. Effective public input collection and processing efforts help the NPD parties to record, analyze, summarize and report huge volumes of information. Because responses may include tens of thousands of oral or written submissions, NPD preparatory or technical committees typically hire specialists capable of setting up systems for recording, electronically storing and backing-up submissions and analyzing them.\(^{320}\)

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For instance, during the MPNP in South Africa, the Constitutional Assembly created six thematic committees to address subsets of the dialogue principles, specifically, the drafting of the new constitution. Their main function was to receive public submissions and serve as the interface between the Constitutional Assembly and the public.\(^{321}\) Civil society organizations and individual members of the public alike could make suggestions about the new constitution. Public comments could be made via a specialized telephone line or in sectoral public meetings, or in writing via a website or mail. In total, the public provided nearly 2.5 million written submissions to the Assembly. The Assembly secretariat collected and assembled the submissions into themes and distributed the comments to each technical committee assigned to work on the Constitution to consider in their deliberations.\(^{322}\)

Similarly, the Rwandan Constitutional Commission distributed a 60-question questionnaire and tabulated questionnaire responses and summarized the results of the community discussions.\(^{323}\) The participation of the Commissioners themselves in the discussions enabled the Commission to more effectively incorporate the input from the public education and consultation phases into the new Constitution.\(^{324}\) Alternatively, Yemen’s NDC Secretariat General sent commissioners to town hall meetings throughout the state.\(^{325}\) These town hall meetings provided an opportunity for the public to ask dialogue participants questions about the dialogue process.\(^{326}\) However, the town hall meetings were not as successful as they could have been because they only provided a forum to ask questions and did not include processes for collecting public input.\(^{327}\)

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Incorporating Public Input into the Dialogue

The purpose of collecting public input before and during a NPD process is to organize and analyze the peoples’ views so that NPD participants can incorporate them into the dialogue to better represent the diverse views of a state’s population. NPD preparatory committees or technical committee overseeing the NPD process typically receive and synthesize the public input for presentation to the NPD participants.\(^{328}\)

In South Africa, the Constitutional Assembly was responsible for outreach efforts during the MPNP and constitution drafting. The six thematic committees of the Constitutional Assembly gathered submissions and incorporated them into a Refined Working Draft of the Constitution.\(^ {329}\) The Refined Working Draft provided alternative options on several contentious issues and explained the way in which submissions were addressed and incorporated into the Draft.\(^ {330}\) The Constitutional Assembly distributed over five million copies, with explanatory articles and graphics for the uneducated or illiterate, which elicited an estimated 250,000 submissions from the public.\(^ {331}\) Subsequently, the MPNP re-opened negotiations on the issues addressed in the public submissions and the committees produced a revised draft.\(^ {332}\) The Constitutional Assembly sent a revised draft to every person who had made a submission on the original draft.\(^ {333}\) The South African Constitutional Assembly effectively incorporated public input at several stages of the Constitution drafting process.

Similarly, the Rwandan Constitutional Commission was responsible for outreach efforts during the dialogue held as a part of constitution drafting. The Commission circulated a booklet that collected and summarized all the input from the public. The circulation period allowed the Commission to verify the accuracy
of the initial input from the public. The Constitutional Commission considered public input during the Constitution drafting process. The Commission sent a draft to the transitional parliament, which debated the draft for two months and offered additional amendments. The amendments were presented to the public again, and then the Commission drafted a final draft of the Constitution. A referendum was held in 2003 and the new Constitution received 93% of the vote, indicating that there was widespread public support. As in South Africa, the Rwandan Constitutional Commission successfully incorporated public input throughout the various stages of the constitution drafting process.

Conversely, though Yemen’s dialogue featured extensive and comprehensive public outreach efforts, the public input and feedback were not effectively incorporated into the dialogue deliberations because many of the outreach consultations did not provide meaningful engagement and solicited shallow responses. While the majority of the Yemeni population expressed support of the National Dialogue Conference outcomes document following the dialogue’s conclusion, they also expressed concerns about transparency, inclusivity and incorporation of public input.

Key Elements of Yemen’s NDC Public Communications and Outreach Approach

Yemen’s NDC included an extensive communications and public outreach strategy designed to generate general awareness about the NDC, and facilitate opportunities for public input and feedback. The specific public communications and outreach efforts included:

- 12 local radio stations broadcasted 6 radio flashes about the NDC before its launch
- 11 Yemeni television channels broadcasted 5 television clips about the NDC before its launch
- 5 Yemeni television channels & 3 Pan-Arab channels provided live coverage of the NDC
- A two-round nationwide outdoor campaign with, 16,000m² of billboards, lamp post signs, and outdoor banners from the NDC Secretariat
- An online advertising campaign across 21,000 computers in 1,173 internet cafés in Yemen reached 200,000 youth & students
- The NDC official website provided daily updates to approximately 1,600 persons per day
- The NDC developed an extensive social media presence with 14,000 likes on Facebook and 1,027 followers on Twitter
- The NDC created communication and outreach partnership agreements with Ministries of Information, Endowment (mosques), Sports and Youth, Education, and Human Rights
- Distribution of NDC identity and visibility materials, including official banners and flags

Conclusion

Perhaps the most important characteristic of a successful NPD is the ability to incorporate the views of as many people as possible and to ensure that the dialogue process is as inclusive and representative as possible. To achieve this, successful NPDs typically feature a dynamic feedback loop for disseminating information about the dialogue to the public while also incorporating public input into the dialogue discussions. Effective public outreach requires long-term planning and extensive resource allocation to ensure sufficient breadth and scope of the public outreach efforts. The next chapter builds upon the last several chapters to analyze effective methods for structuring a NPD.
**CHAPTER 7: STRUCTURE OF DIALOGUE PROCEEDINGS**

**Introduction**

The structure of a NPD can shape the tone of the dialogue, influence the relationships between participants, and help determine the dialogue’s outcomes. NPDs can employ various organizational structures tailored to the dialogue’s purpose to facilitate successful discussions of substantive issues. Generally, the structure of NPD discussions will depend on the parties involved, the internal NPD leadership, and the topics for discussion. Clarity regarding the structure of discussions and the roles of the various participants can provide for a more efficient dialogue and foster consensus building among the participants.\(^{342}\)

The purpose of this chapter is to discuss NPD structure and the function of specific sessions and mechanisms. The structures generally include: (1) plenary sessions and their role in NPD structure and function; (2) working groups for substantive discussion; (3) decision-making mechanisms; and (4) communication mechanisms.

**Plenary Sessions**

Plenary sessions are NPD sessions that include all of the dialogue participants. Plenary sessions allow the parties to engage on issues relevant to all of the participants and thematic working groups. NPDs generally involve several rounds of plenary sessions, including: (1) an opening plenary session; (2) intermediate plenary sessions; and (3) a closing plenary session.

**Opening Plenary Sessions**

NPDs often open with a plenary session that includes opening remarks and the establishment of dialogue procedures.\(^{343}\) Before the parties progress to more

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substantive issues, opening plenary sessions allow the parties to convene and elect committees with specific mandates, as well as review the issues on the dialogue agenda and discuss logistical concerns.\textsuperscript{344}

**Statements of Commitment**

Opening plenary sessions allow the parties to invite international figures to make a public display of support for the dialogue process. This may be critical for attaining public support and trust at the outset of the dialogue, and can enhance dialogue guarantees—as discussed in Chapter 1. For instance, UN Secretary General Ban Ki-moon spoke at the opening of Yemen’s National Dialogue Process and affirmed the process’s commitment to operating in a constructive, participatory, and representative way.\textsuperscript{345} In Kenya, the parties to the National Dialogue and Reconciliation issued a joint statement to publish the agenda and demonstrate their commitment to the process of dialogue.\textsuperscript{346}

**Resolution of Outstanding Issues**

Opening plenary sessions provide an opportunity for NPD participants to resolve any outstanding substantive, administrative, or logistical issues. For instance, while many parties come to the plenary session with the agenda items decided, the opening plenary session may provide the parties the opportunity to make final decisions on specific agenda items and/or the sequencing of discussions. The opening plenary session may also allow the parties to formally establish committees or working groups with specific mandates.

For instance, in Yemen, the parties elected members of the Standards and Discipline Committee at the opening plenary session.\textsuperscript{347} The Technical Committee recommended seven judiciary and administrative figures to the dialogue’s Presidency, and the Presidency endorsed the recommendations.\textsuperscript{348} In Kenya, the Panel of Eminent African Personalities facilitated multiple opening plenary sessions to lead the parties to agree on the agenda items. During these opening


\textsuperscript{348} Standard and Discipline Committee, *National Dialogue Conference, Yemen.*
plenary sessions, the participants agreed on the agenda items and started holding discussions around the agenda items. Similarly, during Guatemala’s Grand National Dialogue, the participating parties used the opening plenary session to allow the dialogue delegates to discuss all proposed topics for discussion and the priority of these topics.

**Intermediary Plenary Sessions**

Intermediary plenary sessions allow for all parties to a NPD to reconvene throughout the dialogue process to report on the progress of the individual working groups or committees. Further, parties can also use intermediary plenary sessions to engage in substantive discussions that are relevant to the members of all working groups, dialogue participants, and other stakeholders. Additionally, parties may use intermediary plenary session to decide on issues that require broader consensus among the dialogue participants.

Tunisia’s national dialogue featured a series of intermediate plenary sessions to address a wide variety of especially important or contentious issues. There were specific plenary sessions focused on, among other things: elections, votes of no-confidence, prime minister selection, and even discussions of how to convince parties to rejoin the dialogue process.

Yemen also held several plenary sessions for its NDC to review reports for thematic working groups and discuss broader issues such as federalism.

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NDC also published outcomes after the intermediary plenary discussions to track the progress of discussions and codify agreements parties had reached thus far. In addition, intermediary plenary sessions provided an opportunity for international guarantors to renew support for the process and to help mediate the dialogue. The G-10 Ambassadors to the United Nations attended Yemen’s second plenary session to express support for the dialogue process and announce the launch of the NDC Consensus Committee.

*Closing Plenary Sessions*

During the preparatory stages for a NPD, the parties may agree on certain requirements and goals for a closing plenary session to guide the discussions and NPD outcome preparation. Closing plenary sessions occur after the NPD’s thematic working groups and committees have completed their discussions or fulfilled their mandates. These sessions allow the parties to come together to express support for the dialogue outcomes and the subsequent implementation process. Notably, the NPD members can vote on an official outcomes document and provide plans for implementing dialogue outcomes.

The closing plenary session of Kenya’s National Dialogue and Reconciliation Process provided an opportunity for the parties to express their support and commitment. Participants created and signed a Statement of Purpose and an Implementation Matrix to affirm their commitment to implementing the results of the process. Similarly, at the closing meeting of the national dialogue committee in Lebanon, the President, as the chairman of the national dialogue, recalled the most important decisions and principles from the dialogues. During the closing plenary session of Yemen’s NDC, the members unanimously voted in support of the final NDC statement and outcomes document.

Thematic Working Group Sessions

Following a NPD’s first plenary session, the parties typically address substantive discussions and drafting through thematic working groups. Each working group generally focuses on a contentious issue requiring negotiation and compromise. In establishing working groups, balanced representation is crucial to ensure that all stakeholders have an opportunity to hear and present proposals. The wider public may be less receptive to proposals or decisions from working groups that lack important stakeholders. Establishment of working groups allows for effective multitasking throughout the dialogue, which may provide an efficient topic progression during the dialogue. To streamline the process, the parties may select the participants of each working group during the preparatory phases of the NPD.

Sequencing of Working Group Meetings

Some NPD working groups meet concurrently while other NPD working groups may meet sequentially. The principles of sequencing agenda items described in Chapter 3 may apply in sequencing working group meetings.

Concurrent Working Groups

NPD working groups that meet concurrently tend to meet more frequently. Furthermore, the sessions tend to be more intensively focused on resolving a few specific issues, and involve considerably more regular meetings and in-depth discussions. Concurrent working groups also operate with an assumption that the members of one working group cannot attend other working groups held at the

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same time. For instance, Yemen’s NDC divided into nine working groups, with each working group focused on a single main issue and related sub-topics. With the goal of reaching a consensus, each thematic working group debated proposals for several months. The thematic working groups successfully resolved all but the most contentious issues, such as federalism, which were resolved through specialized ad hoc committees. Similarly, Iraq’s NPD used a concurrent thematic working group approach. However, because the dialogue had only four working groups to address five broad themes, the dialogue was only able to address a limited number of issues it was originally mandated to discuss.

**Sequential Working Groups**

Other NPDs have their working groups meet sequentially. These thematic working groups may be structured as a series of sequential panels or roundtable discussions. Unlike concurrent thematic sessions, the members of the dialogue can attend many or all working group sessions and provide input. Importantly, sequential sessions require proportionate amount of time to the length of the agenda items. For instance, the structure of Kenya’s National Dialogue centered on a series of panel discussions to discuss three short-term agenda items within the first 7-15 days. The parties had one year to the forth agenda item because the fourth item included long-term issues, such as constitutional reform, undertaking land reform, and tackling poverty. In Rwanda, where there are multiple annual dialogues, the 10th annual National Dialogue discussed four topic areas over the course of two days. The sessions included presentations on each topic area and panel discussions with maximum four panelists.

**Decision-Making Mechanisms**

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Most NPDs operate based on an assumption that the parties will reach agreements by consensus.\textsuperscript{371} Consensus ensures inclusive and participatory decision-making, and encourages the entire group to process the issues at hand.\textsuperscript{372} Because of the size of the plenary and the importance of consensus at NPDs, a review procedure to finalize outcomes can help achieve unanimous approval on final outcomes. Therefore, during NPDs, the parties may decide on a voting mechanism to define sufficient consensus to move forward with outcomes on particular issues. Rules or procedures outlining this mechanism may clarify where and when certain decisions are made, track developments in various working groups, and ensure the cohesion of the overall dialogue process.\textsuperscript{373}

Participants design the decision-making mechanisms in a way that the parties can continue to review outcomes and provide recommendations while working towards final outcomes. After reaching consensus, the parties generally take the outcome to the plenary session for further endorsement.

*Principle of Consensus*

NPDs may choose to adopt a consensus rule in an agreement before the start of the NPD process to avoid unilateral decision-making.\textsuperscript{374} In Peru, the Working Groups for the National Accord decided in advance that agreements from the dialogues required consensus, and that the minutes only would record agreements.\textsuperscript{375} In South Africa, the CODESA dialogue adopted a procedure of “sufficient consensus” to govern negotiations: the convention would strive to achieve consensus, but—if consensus could not be reached—the chair would decide whether “sufficient consensus” had been achieved to move forward with negotiations. There was also a necessary, but not sufficient, requirement for

\textsuperscript{373} Kate Papagianni, *Ten Considerations for the Design and Preparation of National Political Dialogue Processes*, CENTRE FOR HUMANITARIAN DIALOGUE, 3 (Feb. 2014).
consensus that no decision would be final unless the government and the opposition party African National Congress (ANC) were in agreement.\textsuperscript{376}

\textit{Consensus Building Mechanisms}

To facilitate consensus-based decision making, some NPDs establish a consensus committee or a negotiating council. These committees facilitate consensus by facilitating development of strategies, bilateral negotiations, and breaking deadlocks. For instance, during the South African Multi Party Negotiation Process, the parties submitted their positions to the Negotiating Council. The Negotiating Council had seven technical committees, consisting of non-party political experts, and these technical committees submitted reports on substantive issues to the Negotiating Council through a Planning Committee.\textsuperscript{377} The Negotiations Council developed strategies to address the substantive details and facilitate bilateral bargaining.\textsuperscript{378} The Negotiations Council then sent the results to the plenary session, which used parliamentary procedures for decision-making. While such an approach can be complicated, the mechanism can provide an effective solution for reaching consensus where a consensus formation among the parties themselves would otherwise be especially difficult.\textsuperscript{379}

Yemen’s NDC featured a Consensus Committee, which consisted of the NDC Presidency members, the nine heads of the NDC’s substantive working groups, members of the NDC Technical Committees, and representatives from civil society, women and youth groups. The Consensus Committee’s membership provided 50% representation for each the Northern and Southern delegations. Across the Northern and Southern delegations, 30% of the total Consensus Committee seats were reserved for women.\textsuperscript{380} If the parties at the working group


could not reach the necessary 75% consensus, the President had the authority to make a decision on the matter. Also if the working groups could not reach 90% majority vote for the issue to move forward to the Consensus Committee, the President had the authority to make a decision.

*Endorsement of the Plenary Sessions*

After the parties reach consensus, there is usually a plenary session to endorse and adopt the dialogue’s particular outcomes. In South Africa, the Negotiating Council submitted the recommendations reached by consensus to the plenary session for the Multi-Party Negotiation Process for final adoption. At the closing plenary session of Kenya’s National Dialogue and Reconciliation Process, participants signed a Statement of Purpose, and an Implementation Matrix to affirm their commitment to implementing the results of the process.

**Conclusion**

Dialogue proceedings often exhibit extensive and complex structures to facilitate meaningful and efficient discussions that can produce meaningful outcomes. In addition to plenary and work group sessions, successful NPDs typically include dynamic decision making and consensus building mechanisms. As the next chapter will highlight, complex NPD structures require careful planning for managing dialogue logistics.

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CHAPTER 8:
MANAGING THE LOGISTICS OF A DIALOGUE

Introduction

Given the complexity of NPD process, managing dialogue logistics is a critical element of conducting a successful dialogue. Moreover, planning and managing the logistics of a NPD can be a contentious process because decisions regarding a dialogue’s venue, financing, or media coverage may create real or perceived advantages for the parties involved. Dialogue organizers and participants thus often pay particular attention to managing NPD logistics, often relying on specially mandated individuals or committees responsible for managing the logistics and day-to-day activities and needs of the dialogue.

The purpose of this chapter is to provide an overview of important considerations in logistics preparation, including: (1) establishing responsibility for logistics management; (2) selecting a venue; (3) managing the finances; and (4) managing the media.

Establishing Responsibility for Logistics Management

NPD preparatory committees or secretariats typically delegate responsibility for managing logistics during the preparatory phase of a NPD. Extensive logistical preparation is critical for ensuring the efficient functioning of a dialogue’s activities and the advancement of a dialogue’s agenda.

Preparatory Committees

Preparatory committees can provide a valuable logistical support for planning and setting up a NPD, including developing a budget, selecting venues, organizing security, and other circumstance-specific tasks. For instance, during the preparatory stages of Yemen’s National Dialogue Conference (NDC), the Technical Committee provided logistical support for the NDC by developing criteria for the usage of funds, choosing office locations, providing transportation and travel arrangements for delegates, preparing the conference venue, arranging


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security, and organizing translations for media coverage.\textsuperscript{386} Similarly, the preparatory committee for the Inter-Congolese Dialogue (ICD) met for several months to set the date and location for the dialogue, as well as establish the ICD’s agenda, internal governance structure, and operating rules.\textsuperscript{387} The preparatory committee managed to make significant progress due to the representativeness of the 74-member committee, which was comprised of members from all of the parties to the dialogue.\textsuperscript{388}

\textit{Secretariats}

A NPD secretariat is generally responsible for overseeing the administration of the NPD after the preparatory phase concludes. The secretariat may create a committee responsible for administrative and logistical tasks. For instance, Yemen’s Secretariat General had eleven specialized departments each responsible for a certain logistical aspect of the NDC. These departments were: (1) Information Technology; (2) Conference Security; (3) Communications and Media; (4) Operations; (5) Finance and Budget; (6) Human Resources; (7) Delegate and Member Relations; (8) Internal Auditing; (9) Community Participation; (10) International Cooperation and Technical Support; and (11) Archiving and Documentation.\textsuperscript{389} The Conference & Security Department was responsible for providing a secure atmosphere for NDC members, as well as securing the headquarters of NDC Secretariat General and the venue of NDC meetings.\textsuperscript{390} The Information Technology (IT) Department specialized in IT management and system development.\textsuperscript{391}

Similar to the work of a Secretariat General, all aspects of South Africa’s CODESA were supported by a Management Committee.\textsuperscript{392} The Management Committee provided the managerial and operational structure to oversee the

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dialogue. The Management Committee was supported by both a Secretariat and a Daily Management Committee, which were responsible for overseeing the logistical administration of the dialogue, including secretarial services, travel, convention management, and finance.393

Selecting a Venue

Selecting a venue can be a contentious logistical and political issue. The careful choosing of the venue may contribute to the success of the NPD by ensuring participation, open discussion, and a positive climate for the dialogue. Security is an important concern to encourage participation and ensure the safety of all delegates.394 In light of these considerations, participants may consider both domestic and international locations to hold their NPD. For instance, Guatemala and Nepal chose domestic venues for their NPDs while the DRC dialogue took place abroad to ensure the neutrality of the venue. Yemen adopted a combined approach by holding most of its session domestically395 while also holding some strategy and confidence building sessions abroad.396

Convenient and Secure Venue

Participants can consider whether the venue has adequate infrastructure, security, and accessibility to host a safe and productive dialogue. The comfort and confidence levels of dialogue participants are important considerations when choosing a venue because they are necessary conditions for participants to have open conversations and negotiations.397 Locations that commonly provide such as

atmosphere include convention centers, prominent hotels, universities, social organization headquarters, religious centers, or other neutral offices. For instance, in South Africa CODESA was held at the World Trade Center in South Africa, a neutral and comfortable location outside of Johannesburg. Likewise, the NPD in Equatorial Guinea brought together participants in the Sipopo Conference Center in the capital city of Malabo, which served as a neutral and comfortable venue.

Another important consideration for seeking ‘convenient’ venues is whether a venue will provide sufficient convenience for dialogue participants to communicate with their constituencies. Regular communications with constituencies and public outreach efforts can be crucial for the success of a dialogue, and venues and compromise these efforts. For instance, Guatemala’s San Mateo Ixatán dialogue took place in a remote city that provided sufficient neutrality and safety for a dialogue venue, but the city’s location increased the financial costs of the dialogue and required significant travel time for the participants. Moreover, most of Guatemala’s citizens were unaware of the progress made in the dialogue because of the participants’ inability to communicate with their constituents due to their geographic location.

Distraction-Free Venues

Alternatively, a venue that provides limited opportunities for distraction may help the dialogue move forward. During the Inter-Congolese Dialogue (ICD), the parties held the first talks in Addis Ababa for neutrality, but the second talks occurred South Africa to help distance the participants from outside distractions. Specifically, during the second round of the ICD, the mediator Thabo Mbeki

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relocated the talks from hotels to a remote village to help the parties focused on the issues of the dialogue. However, dialogues that occur outside of a state or that are largely closed off from the public run the risk of hurting perceptions of legitimacy and transparency for the dialogue’s processes. Plus, public outreach and participation may be more difficult if a dialogue is held abroad or in a secluded location.

Neutral Venues

Dialogues often seek out a neutral venue so that the venue cannot be identifiable with any party to the conflict or create perceptions of bias. A perceived lack of neutrality and a search for an environment that is conducive to talks plays an important role in choosing a venue. For instance, in the DRC, the government initially insisted on holding the Inter-Congolese Dialogue (ICD) in Addis Ababa, Ethiopia instead of South Africa because of South Africa’s connection with Rwanda, an opponent of the DRC government. However, the mediator relocated the talks to a remote village in South Africa to help the parties focus on the dialogue discussions and escape the distractions of Addis Ababa. The facilitators for Guatemala’s dialogue carefully chose the venue for the Guatemalan dialogue, San Mateo Ixtatán, to ensure the neutrality of the venue. However, the location’s remoteness increased the financial costs and required significant travel time for the participants of the dialogue.

Symbolic or Representative Venues

The symbolism of the venue is another consideration. It is important for the venue to be accepted by all the participants, and choosing a venue that is satisfactory for all (or most) may demonstrate to the parties and outside observers

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the inclusiveness of the dialogue. For Mauritania’s dialogues on national development, for instance, the dialogue designers chose venues to reflect different geographic, economic, social and cultural interests. Similarly, the dialogues on Nepal’s constitutional process took place in diverse geographic locations across Nepal to benefit as many participants and local populations as possible.

Managing Dialogue Finances

A NPD can require a large amount of funding for successful operation. It is thus important for the parties to a dialogue to develop a budget and secure the funds to make sufficient logistical arrangements for NPD. The parties then may then manage the funds through a committee in charge of budget and finance, and may also institute means to ensure accountability, such as an internal audit department.

Establishing Responsibility for Finance Management

NPDs often feature a finance committee that secures and manages the funds for the logistical operation of the dialogue. Creating a finance committee can help delineate responsibility and increase accountability for the management of the funds, as well as alleviate concerns of the fair distribution of funds. Finance committees can be responsible for, among other things: (1) processing bank account information for all dialogue participants and support staff; (2) transferring stipends and salaries into participants’ and staff bank accounts; (3) facilitating payment allowances for security costs; (4) following-up and implementing all administrative processes in associating with different departments; (5) responding to all inquiries and handling conference participants' complaints; (6) archiving operational expenses and making all financial information available to dialogue leadership.

Soliciting and Securing Funds

Participants can seek various sources for financial support. Possible sources include political parties, the government, or donors. National and international NGOs, multilateral organizations, and government agencies have provided funds for dialogue processes.\textsuperscript{412} External funding may be slow in the early stages of the NPD but may pick up as the NPD starts to show success.\textsuperscript{413} Dialogues may be supported by a combination of funds from a state’s government and outside donors. The involvement of outside donors, particularly international organizations, may increase accountability of the dialogue process. Additionally, dialogue participants may seek to diversify the funding sources to ensure that local, instead of external actors, drive the decisions and processes of the dialogue.

For instance, in Rwanda, the National Unity and Reconciliation Committee in charge of national dialogues have received funding from international NGOs, such as International Rescue Committee and the United States Agency for International Development.\textsuperscript{414} In Yemen, the Yemen National Dialogue and Constitutional Reform Trust Fund supported the NDC.\textsuperscript{415} The Trust Fund was established in cooperation between the Government of Yemen and the United Nations for the purpose of administering the NDC and Yemen’s political transition. The Trust Fund, which was administered by the United Nations Development Programme, enhanced the accountability and transparency of the dialogue process to the Yemeni people.\textsuperscript{416}

\textit{Managing Funds}

Dialogue organizers and administrators often establish specific finance committees who are responsible for managing the NPD’s funds and producing appropriate reports on how the funds are spent. Parties may wish to institute clear

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\textsuperscript{414} National Unity and Reconciliation Commission (NURC), \textit{A Social Cohesion in Rwanda}, (2008), \textit{available at} http://www.rwandapedia.rw/cmis/views/workspace%253A%252F%252FSpacesStore%252F1024a573-4feb-4269-ab89-9dfb02cda48e.
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guidelines outlining the expenses that will be reimbursed to prevent conflicts between parties regarding the use of funds.  

For instance, in Yemen, the NDC Secretariat General established two departments, finance and budgeting, and internal auditing, to oversee the management of the dialogue’s funds. The finance and budgeting department was responsible for processing and transferring the salaries of dialogue employees into their respective bank accounts, facilitating payment allowances for security personnel and their expenses in connection with providing security to the NDC, keeping proper financial accounting of the NDC’s expenditures, and disseminating the financial information to the Secretariat General and NDC leadership. The internal auditing department acted as a check on the finance and budgeting department, as it performed audits before and after funds were released to ensure the proper appropriation of funds.

Managing the Media

Engaging the public through media is an important way to influence the public’s perception of the parties. A thoughtful media strategy can prevent inflammatory or biased news coverage. Please refer to Chapter 6 of this Handbook for detailed information on public outreach activities, including public education and public consultations through the media.

Session Coverage Management

Parties can choose to have the dialogue completely confidential or to allow full access to the media. A completely confidential process can lead to rumors, fear or slander. However, a process that is open to the media could restrict open conversation, as participants may feel uncomfortable expressing their opinions.

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419 National Dialogue Conference, Internal Auditing Departments.
Participants can agree on a good balance in deciding whether to keep the media informed by choosing a spokesperson and having a joint media plan. \footnote{Brechtje Kemp, Political Party Dialogue: A Facilitator’s Guide, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 87 (2013).}

Additionally, participants can use mechanisms such as community publishing, information campaigns, press conferences, televised debates and interviews, assemblies, interactive websites, songs, and social networks to communicate with the media and the public. \footnote{Amy L. Smith & David R. Smock, Managing a Mediation Process, UNITED STATES INSTITUTE OF PEACE, 50 (2008), available at http://www.usip.org/sites/default/files/managing_mediation_process.pdf.}

In South Africa, the Multi-Party Negotiation Process (MPNP) was open to the media who could report as fully as possible on the process. Members of the public could witness the proceedings through a media overflow room. The public could also submit proposals to any committee on a variety of issues. \footnote{Padraig O’Malley, Multi-Party Negotiation Process Leading to Constitution, available at http://www.nelsonmandela.org/omalley/index.php/site/q/03lv02039/04lv02046/05lv02097/06lv02099.htm.}

*Information Outflow Management*

Parties may manage information outflow by bringing on a spokesperson or publishing press releases. Parties also often establish a website where the citizens can conveniently access publicly available information on NPD.

**Spokespersons**


To avoid discord, participants can elect the mediator or facilitator as the spokesperson. \footnote{Brechtje Kemp, Political Party Dialogue: A Facilitator’s Guide, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 87 (2013).}

This worked well in Guatemala where the parties did not communicate with the media until the NPD began. \footnote{Bettye Pruitt & Philip Thomas, Democratic Dialogue – A Handbook for Practitioners, THE INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 95, 166 (2007).}

Once the dialogue began, the parties designated a spokesperson that could brief the media on progress on the NPD on behalf of each of the parties. The purpose was to keep the media informed but not to let the press coverage affect the NPD. \footnote{Brechtje Kemp, Political Party Dialogue: A Facilitator’s Guide, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 87 (2013).}

In Kenya, the facilitator, Kofi Annan, often served as
a spokesperson by making speeches and statements on behalf of the negotiating parties.  

**Press Releases**

Parties may also publish press releases to the media and on the website to manage public relation. This includes providing updates to the media through joint statements, declarations, as well as joint resolutions including dissenting opinions to ensure each participant’s voice is heard. For instance, in Kenya, the Kenya National Dialogue & Reconciliation has a website where the parties posted all public press releases and relevant documents. The press releases included speeches made by Kofi Annan, who led the Eminent Panel of African Personalities, as well as statements updating the public on the progress during the dialogue.  

**Websites & Social Media**

Parties may manage the information outflow by setting up a website and publishing regular reports and news from the dialogue on the website and on other social media platforms. The website and social media platforms can be a useful and low-cost tool for the parties to keep the public informed. In Yemen, the parties published weekly and monthly reports on the NDC website, along with news on the Secretariat General and each Working Groups. Additionally, each working group had a page on the NDC website, with explanation on the working group, any important discussions, and progresses. In addition, the working group pages linked to their Facebook pages where the citizens could leave messages by way of participation. Its Final Document of Outcomes was also published to the public through the media and the NPD’s website. In Rwanda, the ongoing annual national dialogue, *Umushyikirano*, manages a website with reports and presentations from the past and upcoming sessions. The website also provides the  

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users an option to visit the dialogue’s Facebook page, twitter accounts, as well as Flickr account for photos.  

Conclusion

NPDs involve numerous processes and procedures requiring extensive management and coordination. From selecting a venue to securing finances and managing the media, successful NPDs typically included careful early planning for managing the dialogue logistics. Because the parties to a NPD will already be engaged in extensive political discussions and negotiations, proper planning for dialogue logistics early on can prevent those issues from derailing substantive dialogue discussions. Moreover, international actors can provide key support in managing the logistics of a dialogue. The next chapter will provide an in-depth look at how international assistance can support a dialogue, including helping to manage a dialogue’s logistics.

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CHAPTER 9: INTERNATIONAL ASSISTANCE DURING A DIALOGUE

Introduction

International actors can supply a proper forum for discussion, help identify key issues, and provide the necessary resources needed to obtain positive outcomes. International assistance, however, can easily taint the dialogue if there is any real or perceived partiality or favoritism. Consequently, it is important that international actors act in a neutral and objective manner throughout its engagement with the dialogue process.

International assistance during NPDs can come from third party states, non-governmental organizations, intergovernmental organizations, and individual heads of state and other dignitaries. These international actors assist national political dialogues in various ways, including initiating the dialogue, acting as a facilitator, providing technical expertise, furnishing financial support, and helping to implement and monitor the NPD discussions and implementation efforts.

In requesting and receiving international assistance during the dialogue, the parties may consider, among other things: (1) sources of international assistance; (2) dialogue facilitation by international actors; (3) financial assistance from international actors; and (4) logistical assistance from international actors.

Sources of International Assistance

Most NPDs benefit from international assistance from a wide range of actors. Specifically, NPDs typically feature involvement from third party states, non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and high profile international leaders or dignitaries. These international actors can serve both facilitative and substantive functions during a NPD, including increasing the dialogue’s legitimacy and helping to guarantee efficient and effective dialogue processes and outcomes.

Third-Party States

A third-party state may participate in the dialogue process by providing mediation, financial, technical, or logistical support. South Africa, for instance,
provided the physical venue location for the ICD, and South African officials served as moderators to the dialogue. The United States provided over $40 million to support Yemen’s National Dialogue Conference (NDC), as well as the implementation of the NDC outcomes. Norway similarly provided $20 million to help Kenya implement key parts of the National Dialogue and Reconciliation Process’ outcomes, including election reform and preparation for elections, and fulfilling requirements set forth in the new constitution.

Non-Government Organizations

Non-governmental organizations (NGOs) can provide technical and logistical assistance in NPDs. NGO’s may also provide mediation or facilitation support to the dialogue. For instance, during Malawi’s NPD, the Netherlands Institute for Multiparty Democracy (NIMD) consulted with the dialogue’s key stakeholders, including the political parties, civil service organizations, and religious institutions, to identify key issues.

Similarly, in Yemen, the National Democratic Institute (NDI) convened several town hall meetings with civil society and political party leaders and members of the public to solicit thoughts, questions, and concerns about issues relating to the NDC. NDI compiled and presented the public’s comments to the members of the national dialogue preparatory committee to consider when planning the dialogue.

Intergovernmental Organizations

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The support of intergovernmental organizations (IGOs) is another common form of international assistance to NPDs. IGOs are comprised of individual states working together to achieve a common purpose or mission.\footnote{Harvard Law School, \textit{Intergovernmental Organizations (IGOs)}, (Dec. 2012), available at http://www.law.harvard.edu/current/careers/opia/public-interest-law/public-international/intergovernmental-organizations.html.} Sometimes, a state may request the specific assistance of an IGO in their NPD to provide support as a mediator, facilitator, or guarantor. For instance, in the Lusaka Agreement, the DRC specifically requested the assistance of the African Union (AU) in organizing the ICD.\footnote{Emeric Rogier, \textit{The Inter-Congolese Dialogue: A Critical Overview, in CHALLENGES OF PEACE IMPLEMENTATION}, 25 (Institute for Security Studies, 2004).} The AU served as a mediator by organizing and managing the ICD and helping the parties select a neutral facilitator.\footnote{Lusaka Ceasefire Agreement art. 5(3) (Democratic Republic of the Congo, 1999), available at http://www.un.org/Docs/s815_25.pdf.}


\textit{Foreign Leaders and Other Dignitaries}

Former heads of state and other foreign dignitaries often serve as neutral facilitators to dialogues. In addition to providing additional legitimacy as a neutral third-party facilitator, foreign leaders and dignitaries may also have high levels of regional or international political influence, which they can use to support a NPD process and the implementation of its outcomes. In the DRC, the parties to the
Lusaka Agreement mutually agreed that the former President of Botswana would facilitate the ICD, and former South African President Thabo Mbeki ultimately mediated the ICD discussions. In Kenya, a Panel of Eminent Leaders comprised of former UN Secretary General Kofi Annan, former president of Tanzania, Benjamin Mkapa, and former First Lady and Minister of Government in Mozambique, Graca Machel, facilitated the Kenyan National Dialogue and Reconciliation process.

**Dialogue Facilitation Functions of International Actors**

The international community can help to facilitate dialogue among the interested parties to a NPD. As a facilitator, an international actor’s main role is to function as a broker between the parties. The international actor can open up lines of communication between the parties and help them identify the key issues and areas of mutual concern. An international actor may also act as a mediator to the dialogue to keep the parties accountable and focused on the important issues.

International actors are most beneficial to a NPD process when they are impartial, politically sensitive, and have the ability to create collective ownership over the dialogue.

An international actor can facilitate NPD discussions by helping the parties to identify the key issues to be discussed on a NPD agenda. The member states of the Gulf Cooperation Council (GCC) and other members of the international community mediated and oversaw the drafting of Yemen’s transitional implementation mechanism, which stipulated the main issues and general structure of the Yemen’s NDC. The UN Special Envoy to Yemen, Jamal Benomar, was

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especially influential in identifying and addressing key dialogue issues, such as federalism and models for elections.\(^{451}\) In Lebanon, the Berghof Foundation established the Common Space Initiative to provide a venue and facilitate structured dialogues among policymakers and civil society actors, stakeholders and individuals. The Initiative aimed to build expertise and common knowledge resources on key issues for the dialogue participants and facilitate the dialogues.\(^{452}\)

**Technical Assistance from International Actors**

International actors can also provide experts to assist NPD participants with various technical issues. These experts provide specialized knowledge and experience in discussing key issues or advising on ways to develop and implement NPD outcomes.\(^ {453}\)

In Yemen, international experts provided their knowledge and experiences to both the public and working groups that participated in the NDC.\(^ {454}\) The UN provided 20 experts in constitutional systems, constitutional reforms, and federalism to advise on technical issues as the dialogue’s working groups were established. The UN also provided media and communications experts and conference planning experts to train the delegates and working group chairs in sessions with each of the delegate constituencies at the conference.\(^ {455}\) During nationally televised town-hall meetings put on by an international NGO, international experts answered questions related to political transition issues from the audience and the general public.\(^ {456}\)

**Financial Assistance from International Actors**

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\(^{454}\) National Democratic Institute, *Yemen*, available at https://www.ndi.org/yemen.


International actors can provide financial support to NPDs. Sometimes international actors offer the financial support, either directly or indirectly, or sometimes, states request the support in the form of grants or development aid. The financial support can help provide the dialogue’s logistical support, such as paying for venues, travel, and administrative workers. The financial support can also go towards implementing the NPD’s outcomes by paying for groups or organizations that implement and monitor the outcomes and resolutions reached through the dialogue process. Financial support may be given or facilitated by foreign governments, NGOs, or IGOs.

The United Nations Development Programme (UNDP), with the help of 14 donor members, distributed approximately $10 million from a basket fund to the Kenya National Dialogue and Reconciliation Process (KNDR).457 The UNDP used the funds to financially support the KNDR’s Coordination and Liaison Office (COL), which was tasked with conducting the dialogue and implementing its outcomes. The UNDP funds also went towards funding logistical support to the secretariat, to pay the expenditures of the various commissions created under the KNDR, salaries for the COL staff, and payments for the KNDR venues.458

The United Nations set up a similar $35 million fund in Burundi called the Peacebuilding Fund.459 A little more than $3 million was used to support a project focused on increasing democratic culture through an inclusive NPD. Those funds were largely used to pay for personnel that conducted the dialogue and the facilities where the dialogue took place. Not only did the UN provide the funds, but it also took charge of distributing the funds.460

Logistical Assistance from International Actors

International actors can also provide logistical support and administrative functions outside of financial assistance. International actors may provide a venue for the dialogues, or provide vehicles or computers.

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In Malawi, the Netherlands Institute for Multiparty Democracy provided secretarial support to the political parties during the dialogue.\(^{461}\) In Rwanda, several foreign governments supported Rwanda’s constitution-drafting process by providing vehicles, computers, training equipment, and materials for workshops and community meetings.\(^{462}\) South Africa provided the venue space for the DRC’s dialogue.\(^{463}\) In Lebanon, the Common Space Initiative offered a venue in Beirut.\(^{464}\)

**Conclusion**

International actors can provide key facilitative, management, and logistical support for a NPD. As identified throughout this Handbook, NPDs can benefit from international assistance for a range of NPD activities, including, among other things: providing NPD guarantees, supporting internal governance and leadership structures, conducting public outreach, managing dialogue logistics, providing funding, resolving disputes, and increasing dialogue neutrality and transparency. International support can even extend further into finalizing dialogue outcomes and providing for outcome implementation—as discussed further in Chapter 10.

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CHAPTER 10: FINALIZING DIALOGUE OUTCOMES

Introduction

The process of finalizing NPD outcomes can set the stage for successful implementation of those outcomes, as well as the implementation of a broader peace or transition process. Often, a NPD ‘outcomes document’ will provide a compilation of the NPD’s negotiated agreements, recommendations, and working group or plenary decisions. To ensure the successful implementation of the outcomes, a NPD outcomes document may include principles of agreement to guide the next phase of the transitional process and implementation mechanisms. Because the ultimate success of a NPD depends on the effective implementation of meaningful dialogue outcomes, it can be important to at least plan processes for finalizing dialogue outcomes during the early preparatory stages of a dialogue.

Finalizing the NPD outcomes is a process that includes preparing proposals from working groups, compiling reports into final outcomes for approval, and presenting the outcomes to set the stage for implementation. A closing NPD plenary typically reviews the outcomes and makes recommendations before finally approving the outcomes. After approval, the NPD typically presents the outcomes to the public. The process of finalizing NPD outcomes leads to the next phase of the transitional process and can influence implementation of the outcomes through implementation mechanisms and procedures. The process of finalizing NPD outcomes generally includes: (1) approving the outcomes; (2) presenting the outcomes; and (3) setting the stage for implementation processes and mechanisms.

Approving Dialogue Outcomes

At the conclusion of a NPD, working groups may submit proposals for review and compile them into the final outcomes document. Some parties may decide to establish a committee to facilitate consensus based on working group reports. Other parties may have the working groups present their outcomes directly to the plenary to debate before inclusion in the final outcomes document. A designated committee can then incorporate the recommendations

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and submit a final outcomes document to the plenary for final approval. The plenary session ultimately approves these outcomes, and the outcomes document may also include documentation of other NPD activities, statements, or proposed implementation mechanisms.

For instance, the closing plenary session of Yemen’s NDC, the members also voted in support of the final NDC statement and outcomes document, including 1,800 recommendations. The closing plenary session also approved the creation of the 8+8 Committee as one of the final NDC outcomes. The 8+8 Committee was designed to allow negotiations over the contentious Southern Issue to continue after the closing plenary session of NDC.

Similarly, in Guatemala, an Assembly of Civil Society (ACS) dialogue convened by mandate under the Framework Accord between the government of Guatemala and the Guatemalan National Revolutionary Unity. The ACS produced five consensus documents on substantive themes identified in the Framework Accord, including constitutional reform and elections, strengthening civil society, and the identity and rights of indigenous people. Each thematic group had its own organizational structure to define priorities, devise proposals, and discuss and approve the outcomes of each plenary session. Separate ad hoc commissions of the assembly, with two delegates from each participant group, were formed to work on each of the five substantive topics and prepare draft consensus documents. The dialogue participants debated the drafts in plenary sessions until they reached a final consensus. The Organizing Committee also played a part in making key decisions by consensus, but they passed the most important matters on to the relevant plenary sessions.

**Presenting the Outcomes**

After the plenary session approves the final outcomes, officials can present

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the NPD outcomes to the public or select political leaders. The mandate and goals of the NPD generally determine the method of presenting the outcomes as well as the intended audience. Some NPDs present outcomes to heads of state or parliament, while others release their outcomes to the public. Presenting outcomes directly to political figures responsible for implementation may demonstrate the government’s commitment to reform. However, releasing outcomes to the public can promote transparency and foster public participation in the transition process. Parties designing a NPD may make decisions about presenting outcomes during the initial preparatory stages of the dialogue to prevent disputes over outcome presentation from arising later on and then hindering the dialogue process.

*Presenting Outcomes to Political Figures*

Instead of immediately publicizing the NPD outcomes, NPD officials can first present the outcomes to heads of state or other influential political figures, particularly when the NPD centers on political reform within the existing government. For instance, Jordan’s National Dialogue Committee presented a report of its conclusions on political party reforms to the Prime Minister. While the press later reported on the conclusions, the Committee’s outcomes report was not presented to the public. In contrast, the Bahrain National Dialogue not only presented the outcomes to the King, but also simultaneously published the outcomes online.

*Publishing Outcomes to the Public*

The NPD often releases outcomes documents to the public accompanied by press releases. In informing the public about developments within the NPD, media or public relations committees can perform the important role of publicizing the


NPD outcomes. Furthermore, publicity for the outcomes can serve as an accountability tool by incentivizing leaders to implement the outcomes.\textsuperscript{476} For instance, the Yemen National Dialogue Conference presented its Final Document of outcomes to the public through the media and the NPD’s website.\textsuperscript{477} Kenya and Bahrain similarly announced the outcomes of their NPDs and published the outcomes online.\textsuperscript{478} In Somalia, after the National Dialogue on Justice Reform, the conference delegates published their key conclusions and recommendations through the media.\textsuperscript{479}

**Setting the Stage for Implementation**

Finalizing the NPD’s outcomes can facilitate the implementation process by clarifying precisely how officials will implement the outcomes. The implementation principles and matrix may include issues, action items, timeframe, and focal point for the actions. The parties can also establish committees to oversee the implementation during the timeframe. As with decisions for presenting dialogue outcomes, NPD designers may plan for implementation principles and mechanisms during the initial planning stages of a dialogue to prevent disputes over implementation plans from derailing dialogue discussions or distracting participants.

**Implementation Plan**

NPD outcomes can include mechanisms to ensure the successful implementation of the NPD’s outcomes. These mechanisms may include agreements voted upon in the plenary that outline explicit tasks and procedures in the transition process.\textsuperscript{480} For instance, Yemen’s final outcomes document included


a Guarantees Document outlining the principles of implementation, procedures of the election, and institutions responsible for implementing tasks in the next stage of the transitional process. In Kenya, the Participants created and signed an Implementation Matrix to affirm their commitment to implementing the results of the process. The Matrix included issues, actions, timeframe, and focal points among ministries and offices in the executive branch.

**Implementation Monitoring Committee**

Implementation monitoring committee assumes responsibility of overseeing the implementation of recommendations, assessing and resolving any challenges in implementation. For instance, Kenya established an external and independent implementation monitoring committee through the NPD outcomes document as well as commissions to implement tasks for the next transitional phase. In Rwanda, the annual national political dialogue serves as a forum to monitor implementation of recommendation from previous year’s recommendations. For instance, the national political dialogue in 2011 conceived the establishment of Agaciro Fund, a sovereign wealth fund designed to invest in high development impact projects. The national political dialogue in 2012 discussed updates on the establishment of the Fund and strategies to sustain it.

**Conclusion**

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The entire NPD process typically works towards the production of dialogue outcomes or recommendations to bring real change to a state and facilitate a meaningful political settlement or transition. Though outcomes come at the end of a lengthy dialogue process, planning mechanisms and procedures for finalizing dialogue outcomes and producing recommendations is important for parties to consider during the early stages of dialogue preparation to ensure the dialogue can achieve meaningful and implementable outcomes. This Handbook will be further supported by an additional forthcoming handbook focusing entirely on implementing NPD outcomes.
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NOTE FOR USERS

The purpose of the Handbook is to provide a resource for practitioners on the important areas to focus on in the planning and execution stages of a NPD. The Handbook seeks to inform potential dialogue participants, parties actively involved in organizing or conducting an NPD, parties seeking opportunities for NPD participation, and practitioners advising their own organizations or constituents about NPD processes.

State practice shows that NPDs based on broad political settlement and inclusiveness are the most likely to succeed in facilitating lasting political reform and durable peace. However, because there is no “perfect” model for a NPD, the Handbook seeks to serve as a guide to illustrate a range of best practices and principles for designing and carrying out an NPD. Though its scope is broad, the Handbook does not purport to address every issue or alternative that may arise while during a NPD. Instead, the Handbook is meant to serve as a starting point for its users to help inform decisions on engaging in NPD processes.

The Handbook may be read in full to provide a comprehensive overview of the key practices and principles for parties to consider when planning and carrying out a NPD. Alternatively, the Handbook is also designed so that each chapter can stand on its own to assist users who may only have time to read individual chapters, or that may only be interested in only specific topics.
EXECUTIVE SUMMARY

Over the past three decades, states emerging from internal conflict have increasingly turned to national political dialogues (NPDs) to achieve durable peace and comprehensive political settlements. NPDs are inclusive and participatory mechanisms for political and social stakeholders to negotiate political transitions. NPDs take various forms because every state, conflict, and peace process involves a unique set of circumstances. NPDs may differ in their mandate, size, level of inclusiveness, and role(s) within a state’s broader political transition. Numerous states around the world have conducted NPDs in various forms, including: Guatemala, East Timor, Nepal, the Democratic Republic of the Congo, Niger, Mali, Kenya, Rwanda, Afghanistan, Iraq, and Yemen.

Once parties to a conflict have made a commitment to peace, they often agree to resolve the outstanding issues of the political transition through a participatory dialogue process. The design and preparation of a NPD is the crucial first step to carrying out this process. Though the design of a state’s dialogue will differ according to the particular context of a particular state, the most successful dialogues share several key features and objectives, including a strong mandate with well-defined goals, inclusive and participatory processes that are jointly-owned by all major stakeholders, and public buy-in and acceptance of the dialogue process. The most effective way to ensure that a NPD fulfills these characteristics of a successful dialogue is through careful preparation and design.

This Handbook explores the various aspects of planning for and carrying out a successful national political dialogue as part of a broader peace process and political settlement effort. Planning a NPD involves focusing on key elements and considerations for during the preparatory stages of a NPD, such as establishing dialogue guarantees, forming a preparatory committee, setting an agenda for discussions, selecting participants, establishing a governance structure, and engaging in public outreach. Conducting a NPD involves key elements of carrying out the dialogue discussions, including the structure of the talks and division of work, seeking support from international actors, managing dialogue logistics, administering internal governance structures, encouraging internal decision-making and consensus building, and finalizing outcomes and recommendations. The Handbook addresses each of these elements to help practitioners design and carry out a dialogue that can lead to the implementation of meaningful outcomes.
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CHAPTER I: GUARANTEES

Introduction to Guarantees

For parties preparing for a national political dialogue (‘‘NPD’’ or ‘‘dialogue’’), two of the most important concerns are to facilitate a meaningful dialogue and ensure that effective implementation processes support the dialogue’s outcomes. Parties can help address both of these fundamental concerns by providing guarantees for the NPD process. Generally, guarantees are mechanisms that help to hold parties to their commitments to a NPD, its processes, and its outcomes. Guarantees can also establish specific requirements to guide parties through the NPD process, to help ensure a meaningful outcome. Dialogue guarantees can further extend to provide assurances for a dialogue’s functions, outcomes, inclusiveness, and meaningfulness. Because guarantees support some of the most fundamental requirements for a ‘successful’ dialogue—meaningful discussions and effective implementation of outcomes—establishing means of providing NPD guarantees is often one of the first steps in planning a NPD.

Parties to a dialogue most commonly provide guarantees in a NPD framework agreement or in a broader peace agreement. Within these agreements, the common approaches for providing NPD guarantees include: (1) making general declarations of commitment; (2) establishing preparatory committees; (3) creating clear and concise agendas; (4) setting timelines; and (5) seeking strategic involvement of outside parties.

General Declarations of Commitment

One primary function of any NPD guarantee is to publicly commemorate the parties’ commitments to engage in the NPD process. Because of the public nature of these commitments and parties’ common interests in maintaining perceptions of legitimacy and good faith, general declarations of commitment can help compel parties to remain involved in meaningful dialogue and implementation processes.¹ Parties often include these general declarations of commitment in peace agreements or NPD framework agreements to encourage the broad participation of many stakeholders in the dialogue process.

General Commitments in Peace Agreements

Parties to a NPD often provide language declaring their general commitments to the NPD process within a peace agreement. The details and specificity of these general commitments may vary according to parties’ needs or the context of the agreement and dialogue. Regardless of the scope of general declarations of commitment, their inclusion in a peace agreement may compel their implementation by binding them to the terms of the broader peace agreement.

For instance, the Lusaka Ceasefire Agreement for the Democratic Republic of Congo included a declaration from both parties to the ceasefire to engage in the Inter-Congolese Dialogue (ICD). The parties to the Lusaka Agreement provided a general declaration of their commitments to adhere to key principles and guidelines throughout the dialogue process. Through the peace agreement, the parties guaranteed the inclusiveness of the dialogue by identifying the participants, granting the participants equal status in the dialogue, and endowing the NPD with binding authority on the participants. The Lusaka Agreement also created selection procedures for a facilitator and outlined a preliminary agenda for the NPD, further guaranteeing the timeliness, meaningfulness, and inclusiveness of the dialogue. The general declarations of commitment set forth in the Lusaka Agreement helped to provide guarantees for the dialogue by forming the framework for a subsequent ICD while allowing the participants significant discretion on the content of the dialogue itself.

General Commitments in NPD Framework Agreements

Instead of making declarations of commitment through a broader peace agreement, parties may set out general commitments for a dialogue in a NPD framework agreement. Framework agreements generally establish broadly agreed upon principles and agendas for more detailed negotiations and procedures for a NPD. In South Africa, after the signing of the National Peace Accord, the government organized the Convention for a Democratic South Africa (CODESA)—a comprehensive political dialogue—through a separate dialogue

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3 Lusaka Ceasefire Agreement: Annex A, arts. 5.2–5.6 (Democratic Republic of Congo, 1999).
framework agreement. As part of the CODESA agreement, the parties provided guarantees for the dialogue by signing a “Declaration of Intent” to declare their commitment to the dialogue process. The Declaration of Intent commemorated the parties’ “solemn commitment” to, among other things: heal past divisions, establish a free and open society, draft a new constitution, use the dialogue as a mechanism for democratic change, and establish a mechanism for implementing the dialogue’s outcomes. In addition to helping to tie the NPD process to the broader peace process, these general declarations of commitment helped to guarantee that the dialogue adhered to a core set of objectives, as well as the parties’ obligations to pursue meaningful outcomes.

Preparatory Committees

Preparatory committees, which help design a framework for a NPD, can provide important guarantees for a NPD by making logistical and procedural arrangements for the NPD process. The efforts of a NPD preparatory committee can help ensure a dialogue stays on track and focused on its mandated objectives. Preparatory committees also support the guarantees established in peace agreements and framework agreements by executing the technical and logistical aspects of an NPD.

Typically, preparatory committees have a mandate to determine a NPD’s membership and selection criteria, set an agenda for discussions, create a dialogue support structure, and perform other administrative or logistical tasks. All of these are important for guaranteeing the functioning and effectiveness of a NPD. For instance, Afghanistan’s Bonn Agreement contained provisions for a special independent commission of 21 members that would adopt and implement procedures for selecting participants to the dialogue and constitution-drafting

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8 *Convention for a Democratic South Africa: Declaration of Intent* 268 (South Africa, 1991).
committees. Similarly, the Yemeni government and political parties tasked the president of the unity government with forming a technical preparatory committee to design and convene Yemen’s National Dialogue Conference (NDC). In both Afghanistan and Yemen, the preparatory committees helped guarantee that the dialogues were inclusive and representative, that they ran smoothly, and that they focused on their respective key objectives.

Preparatory committees may further support the achievement of NPD guarantees by including all parties in the preparation process and enhancing the legitimacy of the dialogue. When parties mutually establish a preparatory committee to facilitate broad-based membership in a NPD, they can enhance the effectiveness of the dialogue because participants are representative of the varying political and cultural groups. A comprehensive representation in the preparation of the dialogue can provide more groups with a sense of ownership and involvement in a dialogue process, which can help provide guarantees for the dialogue and its outcomes. In contrast, allowing one party to unilaterally control the conditions of the dialogue can make the dialogue less meaningful.

For instance, the King of Bahrain decreed, prepared, and called for each round of the NPD process, rather than establishing a representative preparatory committee. The dialogue quickly collapsed after the parties disputed the structure and agenda for the talks. Eight months later, the King designated the Prince to start the dialogue again, but the process continued to struggle. Bahrain’s attempts at a national dialogue suffered from the lack of representative preparatory committee and thus did not have the same important dialogue guarantees as provided by the preparatory committees in Afghanistan or Yemen.

Agendas

11 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) arts. IV(1)–(4) (Afghanistan, 2001).
NPD agendas refer to a comprehensive list of issues and topics for discussion during a dialogue. Establishing an agenda for a NPD can decrease uncertainty during the dialogue process and help guarantee that the dialogue moves forward. Additionally, a focused agenda can also guarantee a successful dialogue by ensuring that NPD only addresses political issues that lend themselves to resolution through large-scale public dialogues. The framework for Kenya’s National Dialogue established a simple, four-point agenda. The National Dialogue focused on (1) ending violence; (2) addressing the humanitarian crisis; (3) overcoming the political crisis; and (4) addressing a limited set of long term political goals, such as constitutional reform, land reform, poverty, development, national unity, and government accountability. This four-point agenda helped keep the talks focused on a core set of reasonable goals and feasible tasks. Ultimately the level of detail and specificity of an agenda can vary significantly according to the needs of the parties involved in negotiating the agenda.

An overly complex or detailed agenda can compromise the flexibility and functionality of a dialogue, limiting an agenda’s ability to help guarantee a dialogues focus on its key objectives. Yemen’s National Dialogue Conference (NDC) had an expansive agenda, including items that may have been more effectively addressed at policy or legislative levels. The NDC’s Technical Committee (TC) identified thirteen major topics of discussion to include on the agenda. Each topic was broken down into dozens of sub-topics not necessarily linked to the peace process or longer-term transition initiatives. The TC tasked the topics to nine thematic working groups. Yemen’s expansive agenda ultimately led to multiple delays in the NDC, created tensions among the working groups, and prevented the parties from adequately discussing many important issues.

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Timeliness

Parties to a NPD can establish timelines to commence a NPD process, keep track of the dialogue progress, and ensure timely a timely conclusion. Including a timeline within a peace agreement of NPD framework agreement can provide important guarantees for the dialogue by further demonstrating the seriousness of the parties’ commitment to engaging in a timely and meaningful dialogue. Moreover, realistic timelines can help guarantee steady progress in discussions and deter delays in implementation. This steady progress along an established timeline can also help keep the parties focused on developing and implementing dialogue outcomes. Moreover, parties to a NPD can craft a timeline to complement the NPD agenda to help further guarantee a successful dialogue that addresses the key issues facing the dialogue.

Timely Commencement of a NPD

One of the most important initial guarantees for a NPD is that the dialogue processes actually begin. Some parties use a NPD timeline codified in a peace agreement or NPD framework agreement to guarantee the timely commencement of the NPD proceedings. For instance, in Afghanistan, the Bonn Agreement required a convention of an Emergency Loya Jirga—a national dialogue—within one month following the establishment of an interim authority. Rwanda took a slightly different approach, and pegged the opening of the annual national political dialogues to specific calendar dates each year.

Timetables for NPD Progress

In addition to guaranteeing the timely commencement of a NPD, timelines can also help to guarantee the steady progression of dialogue. The framework

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agreement for Kenya’s national dialogue, for instance, 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.\textsuperscript{29} For other long-term issues, the dialogue agreement provided the parties with as long as a year to conduct negotiations.\textsuperscript{30} In Yemen, the National Dialogue Conference (NDC) had a six-month deadline to complete the discussions and submit the reports.\textsuperscript{31} Though Yemen’s NDC ultimately lasted more than 10 months, the initial timeline did help to motivate the parties to maintain as strict of a schedule as possible. The nine working groups drafted hundreds of recommended outcomes within the six-month deadline, but the incredibly broad range of agenda items proved too burdensome for the NDC to complete all of its tasks on time.\textsuperscript{32}

For more information on establishing timelines for NPD processes, especially for purposes of complementing a NPD agenda, please refer to the subsection on “Establishing Timelines and Deadlines” in Chapter 3 on agenda setting.

Involvement of Outside Parties

The involvement of international third parties may provide an added layer of oversight and increase the parties’ incentive to carry out dialogue agreements. Therefore, international guarantors, mediators, and facilitators help guarantee a NPD by increasing international political leverage and pressure on participants to meaningfully engage in the dialogue.\textsuperscript{33} Additionally, outside parties can provide further guarantees through facilitative roles to help guide the dialogue process. Common international third parties include representatives of foreign states, nongovernmental organizations, or international organizations.

Guarantors

\textsuperscript{29} Kenyan National Dialogue and Reconciliation on the Resolution of the Political Crisis: Annotated Agenda and Timetable art. B, (Kenya, 2008).
\textsuperscript{31} Erica Gaston, Process Lessons Learned in Yemen’s National Dialogue, UNITED STATES INSTITUTE OF PEACE, 1, 3 (Feb. 2014); Presidential Decree No. 27 of 2014 (Yemen, Mar. 8, 2014).
\textsuperscript{32} Erica Gaston, Process Lessons Learned in Yemen’s National Dialogue, UNITED STATES INSTITUTE OF PEACE, 1, 3 (Feb. 2014).
A guarantor is a third party, usually another state, which signs a peace agreement or a framework agreement for a NPD. In doing so, the third party personally invests in the agreement, sometimes assuming responsibilities for addressing violations of the agreement. Guarantors can increase the costs of violating the terms of an agreement, as parties that breach an agreement risk consequences such as the loss of international support or foreign aid.

For instance, the Oslo Accord, signed by the government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), called on the UN Secretary General to act as a guarantor for the parties to comply with their obligations to carry out and implement a NPD. Accordingly, the UN was heavily involved in the Guatemalan Grand National Dialogue, as well as subsequent peace negotiations between the parties, acting in roles such as mediator and observer. Similarly, political parties in El Salvador recently signed a joint declaration committing themselves to participate in a NPD to address the significant issues facing the state. In the declaration, the parties named the Secretary General of the Organization of American States as guarantor of the forthcoming dialogue.

Mediators

Mediators often provide a structure and environment for dialogue discussions designed to guarantee a mutually acceptable agreement. Mediators may propose a dialogue timetable, suggest agenda items, and create clear channels for sharing and distributing information between parties, all of which can help to provide dialogue guarantees. During the Kenyan National Dialogue, the African

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34 Oliver Corten and Pierre Klien, 1 THE VIENNE CONVENTIONS ON THE LAW OF TREATIES, 915-17 (2011).
Union Panel of Eminent African Personalities, led by Kofi Annan, mediated the dialogue between the two major parties. The Union Panel’s skilled negotiators mediated between the two conflicting parties over the course of the 41-day dialogue and helped them to reach a political settlement. After the dialogue, the Union Panel remained engaged in the process by providing mediation and monitoring support during the implementation of the dialogue outcomes.

**Facilitators**

A third-party without a vested interest can serve as a facilitator in a NPD to provide a buffer between domestic parties who may not trust each other and to help guide discussions or provide logistical support. Facilitators typically remain neutral and do not influence the negotiations, but rather help the parties develop their own solutions and agreements, which can help guarantee an inclusive and meaningful dialogue. After the Lusaka Ceasefire Agreement in the DRC called for a neutral facilitator to lead the Inter-Congolese Dialogue (ICD), Botswana President Ketumile Masire served as the neutral facilitator. After the first attempt at dialogue failed due to technical and financial problems, Masire was successful in consulting and negotiating with the parties to get the ICD back on track.

**Conclusion**

Providing guarantees for a NPD can touch on many aspects of dialogue preparation, and by establishing effective dialogue guarantees, parties can help to ensure an efficient and meaningful dialogue with implementable outcomes. Many of the topics and mechanisms related to establishing NPD guarantees, such as establishing dialogue agendas and involving outside parties, will reappear

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throughout the Handbook and build upon the materials in this chapter. In particular, the following chapter will discuss NPD preparatory committees, which are often involved in establishing dialogue guarantees.
CHAPTER 2:
PREPARATORY COMMITTEES

Introduction

In preparing for NPD, parties generally establish preparatory committees to plan for the dialogue process, set expectations, and move the dialogue forward. Through these functions, preparatory committees can provide valuable guarantees for the dialogue, as discussed in the previous chapter. Establishing a preparatory committee is often crucial for a successful NPD and for ensuring a broad representation of society throughout the dialogue process. Preparatory committees differ in form and function, and the degree to which key stakeholders or the public perceive preparatory committees as legitimate can impact the success of the NPD process. Moreover, the structure of the preparatory committee, and the breadth of its mandate, can determine the effectiveness and outcomes of the dialogue because preparatory committees can influence the dialogue proceedings through the NPD design.

The purpose of this chapter is to outline the key elements for establishing and structuring preparatory committees, which include: (1) mechanisms for preparatory committee creation; (2) crafting a committee mandate; (3) selecting committee members; (4) structuring a committee and its composition; and (5) establishing the functions of a preparatory committee, including setting agendas, establishing procedures, selecting dialogue participants, providing logistical support, and conducting public outreach and consultation.

Mechanisms for Preparatory Committee Creation

The parties to a NPD generally establish the preparatory committee through a peace agreement or by governmental or presidential decree. The establishment of a preparatory committee allows the parties to transfer responsibility to carry out a NPD to a separate entity, and creates an added driving force behind NPD. Without a focused and effective preparatory committee, the NPD process may stall

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because of lack of coordination and preparation. For instance, in Bahrain, the King called for two rounds of NPD without creating a preparatory committee. After seven months—24 sessions into the second round of dialogue—the NPD collapsed because parties could not agree on a structure or agenda for the talks.

Preparatory Committee Creation by Peace Agreement

Preparatory committees may be established by peace agreements. In these instances, the legitimacy of the peace agreement establishing the preparatory committee can strengthen the support for the committee as a component of the national dialogue. In Afghanistan, the 2001 Bonn Agreement established the Special Independent Commission (SIC) to convene and monitor the election of the Emergency Loya Jirga dialogue to bring together elders and community leaders from across the country to discuss matters of national importance. The 21-member SIC included lawyers, teachers, professors, former civil servants, and religious figures. In Guatemala, the Esquipulas Peace Agreement—signed by five Central American heads of state—created the National Reconciliation Commission, which was responsible for overseeing preparations for the Grand National Dialogue. The National Reconciliation Commission provided the first formal opportunity for Guatemalan civil society to convene and discuss root causes and possible solutions for the ongoing conflict.

Preparatory Committee Creation by Presidential or Governmental Decree

Preparatory committees may be established by presidential or governmental decree. While some leaders have used executive authority to establish preparatory committees with the hopes of consolidating a national dialogue process, these preparatory committees often suffer from a lack of support from the public.

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52 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV (Afghanistan, 2001).
Therefore, preparatory committees may enjoy a higher level of support when they are established as a part of a broader national reconciliation process, in consultation with the civil society, and in the interest of stakeholders.⁵⁶

Establishing a preparatory committee in the context of a broader, well-organized national reconciliation process may elevate the legitimacy of the committee in the eyes of the public. In Yemen, after the Gulf Cooperation Council Agreement provided for Yemen’s National Dialogue Conference (NDC), the President issued a presidential decree in July 2012 to create the Technical Committee to prepare for the National Dialogue Conference.⁵⁷ The presidential decree outlined the Technical Committee’s membership, mandate, dates of operation, and specific operational tasks and functions.⁵⁸

Similarly, in Mali, after a coup d’état deposed a 22-year military dictatorship, the transitional government established by decree the National Commission for Dialogue and Reconciliation to plan a national conference to guide the state towards multiparty democracy. Mali’s interim president appointed diverse and representative members to the Commission, including women and marginalized ethnic groups, reflecting the transitional government’s commitment to an inclusive dialogue.⁵⁹ Mali’s national conference deliberated the details of the transition, specifically focusing on a new constitution, registering new political parties, and elections. The conference resulted in the adoption of a new constitution, which was eventually passed by national referendum.⁶⁰ Furthermore, the conference also succeeded in opening political life in Mali, resulting in greater political involvement of ordinary citizens. The government organized mini-dialogues in several other instances to settle smaller conflicts and “annual days of dialogue” became regular occurrences in which citizens could pose questions and

concerns to members of the government.\textsuperscript{61}

In contrast, a preparatory committee established by unilateral governmental decree may suffer from a lack of legitimacy, particularly where civil society or other key stakeholders have not been consulted in its formation. During Libya’s transition in August 2013, for instance, then-Prime Minister Ali Zidan decreed the launch of a national dialogue process and the establishment of a preparatory committee.\textsuperscript{62} While Zidan assured the public that the process would be independent from the government, Libyan stakeholders criticized the NPD for not consulting adequately with the public on how the NPD should be conducted.\textsuperscript{63} Similarly, in Iraq, the public viewed the High Preparatory Commission created by the U.S.-appointed interim government as illegitimate. The public perceived the preparatory committee as susceptible to political manipulation, especially because parties opposing the U.S. presence were largely excluded from the process.\textsuperscript{64}

**Mandate**

A mandate typically guides a preparatory committee’s tasks and goals and sets the groundwork for its success. Depending on the needs of the upcoming NPD, a preparatory committee may have mandates to decide, among other things: (1) the agenda for discussions; (2) dialogue participation standards; and (3) the dialogue structure, including daily procedures and decision-making mechanisms.

Broad mandates for preparatory committees may include a wide range of tasks. In Iraq, the High Preparatory Commission (HPC) had a mandate to decide on the participants, agenda, and rules of procedure for the NPD.\textsuperscript{65} However, HPC spent a disproportionately large amount of time selecting the participants, and placed little emphasis on the agenda and substance. Only a few days before NPD, HPC conducted rushed discussions and submitted papers on specific agenda items. The papers lacked substance and failed to provide sufficient guidance on the topics

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for discussion, limiting the effectiveness of the dialogue.  

Other preparatory committees have mandates including only some of these tasks.  In Benin, the preparatory committee had a mandate to decide the agenda of the conference and identify participants.  The agenda and basic principles of the new constitution that the preparatory committee drafted guided the dialogue.  In Yemen, the Technical Committee had a mandate to carry out all aspects of preparing for the comprehensive dialogue and to issue reports on its progress.  The Technical Committee’s mandate included establishing a mechanism to choose participants, creating a structure for the discussions and decision-making, and refining NPD agenda into day-to-day agenda.  The committee fulfilled its mandate by publishing a highly detailed report to provide for the NDC’s structure, rules for operation, and core objectives.

Narrow and focused mandates for preparatory committees may only include one or two tasks or objectives.  In Afghanistan, the Special Independent Commission had a mandate to draft the Procedures for Afghanistan’s Emergency Loya Jirga, which provided a process for electing dialogue participants.  The work of the commission resulted in a strong dialogue framework, to which the Loya Jirga largely adhered.  In Niger, the preparatory committee only had a mandate to decide the objective of the dialogue and the participants.

**Composition of Preparatory Committees**

Parties creating a NPD preparatory committee generally balance constituent representation with committee effectiveness when determining requirements for committee membership.  Most often, these requirements reflect the existing political balance and may be similar to the representation distributions used later in

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69 Presidential Decree 30 of 2012, (Yemen, 2012);


the NPD. Mandates can also require that members meet certain qualifications, such as knowledge of relevant areas of law or particular political influence.

**Representation of Political Groups and Constituencies**

The composition of a preparatory committee generally reflects the makeup of the existing political structure of a state. However, some states require politically independent members in the preparatory committee to maintain neutrality.

In Yemen, the membership of the Technical Committee reflected the constituencies to be represented in the NDC.\(^7^4\) The committee included representatives of each political party that signed the Implementation Mechanism along with other groups identified in the agreement, including regional groups, civil society, youth and women.\(^7^5\) Similarly, the CAR Dialogue Preparatory Committee included representatives of the six groups participating in ongoing talks, with support from international NGOs.\(^7^6\) Alternatively, the 13 commissioners on Libya’s National Dialogue Preparatory Commission were politically independent from the dialogue process and could not participate in the National Dialogue process beyond their preparatory work.\(^7^7\) Further, the committee’s 13 members worked on a voluntary basis without any expectation of compensation to further ensure their neutrality and political independence.\(^7^8\)

A preparatory committee that fails to represent all political components of a society may lead to a less representative NPD. As such, in a state with a severe power imbalance, modeling a preparatory committee’s membership after a state’s existing political structure can prevent a dialogue process from achieving its goals. For instance, Iraq’s High Preparatory Commission reserved seats for anyone who had been a part of the previous Iraqi Governing Council but was not part of the


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new Interim Government. Members of both the Council and the Interim Government were appointed by the U.S. and were associated with the dominant political party. There were no clear requirements made public for the remaining seats on the HPC, and the process made no significant effort to integrate political opposition, and failed to integrate all views from the society into NPD.

**Non-Political Representation Requirements**

In determining the composition of the preparatory committee, states can also impose non-political requirements such as gender and technical expertise. For instance, the Bonn Agreement required the Afghanistan Special Independent Commission to include a number of members with specific expertise in constitutional or customary law to facilitate technical discussions.

The Bonn Agreement also mandated adequate representation for women. By contrast, of the 68 members of Niger’s Preparatory Committee’s, only one member was a woman. The lack of representation for women led to a series of public demonstrations, including the occupation of the dialogue venue by women demanded stronger representation going forward in the NPD. Niger later included five women in the national dialogue.

**Size of the Preparatory Committee**

In determining the size of a preparatory committee, states may consider balancing the need to bring together a widely representative group with the need to keep the committee small enough to resolve technical issues. The size of

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82 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(1) (Afghanistan, 2001).
83 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(1) (Afghanistan, 2001).
87 Katia Papagianni, *National Dialogue Processes in Political Transitions*, CIVIL SOCIETY DIALOGUE NETWORK, 8
preparatory committees varies greatly among states, depending on the political context and resources available.

In Afghanistan, Yemen, and Central African Republic, the preparatory committees were relatively small, with only 20 to 25 members. The smaller preparatory committees allowed for more efficient decision-making, but they were often more elite-driven or representative of existing power structures. Alternatively, some preparatory committees are considerably larger, often to provide for broader representation and inclusion at an earlier stage of the dialogue. In Niger, the Preparatory Committee had 68 members, the DRC preparatory committee included 74 members, and Iraq’s High Preparatory Commission (HPC) had 100 members. However, a large preparatory committee does not guarantee a representative committee. For instance, Iraq’s 100-member HPC was not representative due to the membership selection methods, which favored members of the previous government.

Libya developed a hybrid preparatory committee structure that incorporated the more efficient decision-making of a smaller committee structure while also providing for broader representation. Specifically, Libya’s National Dialogue Preparatory Commission (NDPC) had only 13 members, but the NDPC was supported by an advisory council of 73 individuals from various geographic, tribal, and ethnic backgrounds, ensuring local views were accounted for in the commission’s work.

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Selection of Preparatory Committee Members

The preparatory committee member selection process can be a highly contested and adversarial process, as preparatory committees often determine the composition, function, and outcomes of a NPD. Therefore, parties to a NPD generally conduct thorough negotiations to determine the membership of a preparatory committee and ensure that the representatives are perceived as legitimate and impartial. Members of NPD preparatory committees are typically appointed or elected. Whether determined by appointment or election, the legitimacy of the committee membership selection process can contribute to the overall effectiveness of the national political dialogue. Moreover, technical or logistical committees that may continue operations throughout the dialogue itself—beyond the preparatory stages—typically follow similar selection processes.

Appointing Preparatory Committee Members

Transitional governments or third-party NPD facilitators often appoint members to preparatory committees. While an appointment process can sometimes help ensure the committee is representative of complex societal divisions, it can also raise legitimacy issues. Government leadership may also be at odds with other parties in the appointment process, and it may be difficult to build trust among opposition leaders and the public.

In Yemen, for instance, the Technical Committee appointed by presidential decree was inclusive of each political constituency to be represented at the NDC, including the ruling GPC, the Joint Meeting Parties (JMP), other political parties, ethnic and regional groups, civil society organizations, youth, and women. In addition, the president selected the members of the Technical Committee based on their abilities to represent the broader views of their relative constituencies. The committee was generally perceived as legitimate and objective, and it produced a comprehensive report on the NDC preparation.

Similarly, Benin President Kerekou appointed a diverse group of

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96 Presidential Decree 30 of 2012, art. 1(a), (Yemen, 2012).
97 Presidential Decree 30 of 2012, art. 1(b), (Yemen, 2012).
representatives to the NPD preparatory committee.\textsuperscript{99} The diverse membership of Benin’s preparatory committee helped facilitate representative membership in the subsequent NPD process.\textsuperscript{100} Consequentially, Benin’s NPD was well prepared to conduct a meaningful dialogue with all relevant stakeholders due, at least in part, to its inclusive and transparent preparatory committee.\textsuperscript{101}

Alternatively, when the government is a party to a conflict, preparatory committee with members appointed by the government may lack legitimacy. In the Central African Republic, the 25-member committee established by presidential decree included representatives from an array of stakeholders, including the democratic opposition, the presidential majority, government institutions, political-military groups and civil society. However, one of the three politico-military groups refused to participate because it did not trust the government to conduct fair proceedings.\textsuperscript{102}

\textit{ELECTING PREPARATORY COMMITTEE MEMBERS}

Preparatory committee elections, though less common and potentially more resource-intensive than appointments, can increase public ownership of the dialogue process. Intensive planning beforehand and flexibility throughout the process are helpful to ensure all stakeholders are adequately represented in the final committee membership.

The Democratic Republic of Congo (DRC) determined the composition of its preparatory committee to the 2001 Inter-Congolese Dialogue (ICD) through public election.\textsuperscript{103} The facilitator’s office conducted a national tour to oversee

\begin{thebibliography}{99}
\bibitem{100} Mahidol University Research Center for Peace Building, \textit{Lessons Drawn from National Dialogue Mechanisms in Transitional Countries}, 5.
\bibitem{103} Emeric Rogier, \textit{The Inter-Congolese Dialogue: A Critical Overview, Challenges of Peace Implementation}, INSTITUTE FOR SECURITY STUDIES IN AFRICA, 25, 28 (May 2004), available at
\end{thebibliography}
local elections, with each province electing four members to the preparatory committee. The election process was relatively inclusive, representing religious denominations, traditional chiefs, women’s and youth groups, trade unions, and NGOs. However, because of the confusion surrounding their legal status, hundreds of unarmed opposition political parties were excluded from the process. In addition, where the elections resulted in a clear failure of representation, the facilitator exercised discretion in accepting nominations for additional members from the province. The ICD ultimately suffered financially, and disagreements among participants stalled the dialogue process.

**Structure**

The structure of a preparatory committee generally depends on the specific tasks provided in its mandate, as well as the needs stemming from the particular conditions and political situations of the state. Preparatory committees generally appoint a committee chair and vice-chair to manage the committee. Some preparatory committees further choose to create subcommittees to handle specific preparatory tasks or issues.

*Chair and Vice-Chair of a Preparatory Committee*

Many preparatory committees appoint chairs or vice-chairs to handle the leadership and management of the committee. The chair typically leads the meetings of the preparatory committee and ensures that the committee remains focused on its tasks. In many instances, the leadership of the committee is comprised of former or current government leaders, such as in Yemen, where the Technical Committee appointed the state’s former prime minister as its chair.

Alternatively, a preparatory committee’s leadership may be appointed to represent the goals and commitments of the committee and the wider dialogue. In Mali, the transitional government appointed a woman and a Tuareg, a historically

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marginalized ethnic minority group in Mali, as the two vice-presidents of its dialogue preparatory committee. The appointments signified the transitional government’s commitment to an inclusive dialogue that would be representative of all of Malian society and its grievances.\textsuperscript{110}

Preparatory committees may also elect to have outside facilitators chair the committee to maintain the committee’s neutrality. The Centre for Humanitarian Dialogue (HD Centre) chaired the preparatory committee in the Central African Republic (CAR). HD Centre’s involvement as chair of the preparatory committee ensured that the dialogue included representatives of all the major armed groups and political opposition.\textsuperscript{111}

\textit{Sub-Committees Within a Preparatory Committee}

Preparatory committees may create sub-committees to undertake specific tasks or issues related to the planning of the dialogue. Preparatory committees may utilize outside sub-committees to provide targeted, expert support on certain aspects of the planning. Sometimes, a preparatory committee may not have certain expertise in an area, such as particular local issues, and may therefore employ outside committee support.

In the DRC, the dialogue preparatory committee used supervisory provincial committees to manage local elections when selecting members to the Inter-Congolese Dialogue.\textsuperscript{112} Likewise, Yemen’s Technical Committee used the support of a separate preparatory ‘Liaison Committee,’ which was tasked with reaching out to various constituencies and inviting them to participate in the national dialogue and its preparation.\textsuperscript{113} The Liaison Committee appealed to Houthi participation in the National Dialogue Conference through a series of meetings with Houthi leaders emphasizing the importance of universal participation.\textsuperscript{114}


\textsuperscript{114} Mohammed Al Qadhi, \textit{Houthi Rebels Agree to Join Talks on Yemen’s Future}, THE NATIONAL (June 6, 2012),
Functions of Preparatory Committees

While a preparatory committee may be responsible for many aspects of an NPD, the roles of a preparatory committee will vary based on the specific circumstances of a particular dialogue. A preparatory committee’s responsibilities may include setting agendas, establishing procedures, setting additional goals or objectives for dialogue outcomes, selecting dialogue participants, and sometimes providing logistical support and coordination throughout the dialogue. Furthermore, preparatory committees can ensure the political commitment of all parties involved by choosing appropriate mediators, agendas, venues, participants, and procedural rules. Preparatory committee may also engage in public outreach efforts, as well as help provide guidance at each stage of the dialogue to ensure that all prospective parties are informed and organized.

Agenda Setting

Preparatory committees are typically tasked with developing an agenda for the dialogue. Sometimes, however, they may refine an existing agenda previously established in an NPD framework agreement. Setting an agenda can help establish firm expectations for an NPD’s objectives and outcomes. Agenda setting can also help to build consensus in advance of an NPD by establishing shared expectations and common objectives among the parties.

framework agenda for the National Dialogue Conference. The NDC Technical Committee then refined them into a more comprehensive agenda. The Technical Committee drafted 13 core issues for discussions, subtopics divided among the NDC's nine working groups, and extremely detailed daily agendas to govern NDC proceedings.

Establishment of Procedures

Preparatory committees often establish procedures for several aspects of NPD activities. Preparatory committees can be charged with establishing procedures for selecting NPD members, determining the rules of engagement during NPD sessions, and organizing subcommittees within the NPD to address specific issues. Provision of clear and comprehensive rules and procedures for each stage of the national dialogue process can help facilitate an effective NPD.

The DRC’s preparatory committee set the rules, regulations, agenda, structure, dates, and place for the Inter-Congolese Dialogue. In addition, the preparatory committee designated five working committees to address the ICD’s key areas of concern. In Afghanistan, the SIC adopted and implemented procedures for monitoring the nomination process for the Emergency Loya Jirga. To preempt conflict over nominations, the SIC also specified mechanisms for grievance filing and arbitration rules. Many credited the SIC-designed procedures with balancing democratic and traditional election processes.

Provision of Logistical Support

Preparatory committees can provide a valuable logistical support for an NPD, facilitating the dialogue’s overall functions. Effective preparatory

\[121\] 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).

\[122\] Presidential Decree 30 of 2012, art. 4(d), (Yemen, 2012).


\[124\] International Crisis Group, The Inter-Congolese Dialogue Political: Negotiation or Game of Bluff?, 6 (Nov. 16, 2001).


committees typically plan and prepare the dialogue’s administrative and logistical work in advance of dialogue proceedings. Often, logistical support includes selecting venues, organizing security, and other circumstance-specific tasks. These logistics can ensure that the dialogue moves at an efficient and stable pace, that the dialogue occurs in a comfortable and safe setting, and that there can be broad dissemination of dialogue information to the public.

For instance, Yemen’s Technical Committee provided logistical support for the NDC by choosing office locations, providing transportation and travel arrangements for members, preparing the conference venue, arranging security, and organizing translations for media coverage. Similarly, DRC’s preparatory committee set the ICD’s date and location. The preparatory committee’s location selection for the dialogue, Addis Ababa, Ethiopia, represented a compromise because the government and the opposition disagreed on each other’s favored locations. Because of the stalemate, the preparatory committee ultimately chose Addis Ababa because of its foreign location and because it was the headquarters of the Organization of African Unity.

Public Education & Consultation

Preparatory committees can also conduct public education and consultation activities ahead of a NPD. Public education refers to informing the public about the dialogue process, such as teaching them why the dialogue process is necessary, how the dialogue will proceed, and how the public can participate. Public consultation refers to the process of conferring with the public on what they would like to see happen during the dialogue, so that the public’s interests will be incorporated into the dialogue process. These initiatives can increase the legitimacy of a NPD by ensuring transparency to the public and engagement of a wide range of stakeholders in a NPD.

Some preparatory committees create a sub-committee tasked with public education and consultation efforts.

131 International Crisis Group, The Inter-Congolese Dialogue Political: Negotiation or Game of Bluff?, 6 (Nov. 16, 2001).
Preparatory committees may disseminate both hard copies and digital versions of NPD-related information to the public to further public education and outreach efforts. For example, the Special Independent Commission in Afghanistan was tasked with publishing and disseminating the rules of and procedures it had prepared at least 10 weeks before the dialogue was scheduled to take place.133 In Yemen, the Technical Committee published a press release and updated its official Facebook page after each of its 65 meetings.134

In other dialogues, the preparatory committees traveled across the state to hold information sessions, conduct public consultations on agenda items, and engage directly with potential spoilers. In Libya, for instance, the preparatory committee for the NPD traveled around the state conducting a proactive public outreach campaign to gauge public opinion at a grassroots level on what issues the NPD should address.135

Selection of Dialogue Participants

Preparatory committees are often responsible for selecting NPD constituencies, as well as individual participants to represent those constituencies. A preparatory committee may select NPD constituencies directly or by setting procedures enabling constituent groups to choose their own representation.136 Some preparatory committees use multiple mechanisms to choose dialogue participants to ensure the participation is inclusive.

Preparatory committees may play a direct role in selecting the constituencies that will be represented at the dialogue, as well as the individual representatives that make up each constituency. In the DRC, the preparatory committee assigned a neutral facilitator to consult with the Congolese parties and compile a list of the political opposition and civil society groups to invite to the dialogue. From this

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133 Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement) art. IV(3) (Afghanistan, 2001).
list, the preparatory committee selected the final groups that would participate.\footnote{Shelly Whittman, \textit{Women and Peace-building in the Democratic Republic of the Congo: An Assessment of their Role in the Inter-Congolese Dialogue}, 6 \textit{AFRICA JOURNAL OF CONFLICT RESOLUTION} 1, 36 (2006).} In Yemen, the Technical Committee created a Selection Advisory Committee to make nominations and compiled a list of potential participants for the president’s approval.\footnote{National Dialogue Conference, \textit{NDC Member Selection Mechanism}, available at http://www.ndc.ye/page.aspx?show=69.}

The participant selection process may also require a preparatory committee to determine the size of the dialogue and the number of participants that will participate in each constituency. For instance, in Yemen, the Technical Committee had a mandate to make the final decision regarding the size and composition of the dialogue. After some initial disputes over the size and composition of the NDC, the Technical Committee consulted with the UN Special Envoy and ultimately adopted the Envoy’s suggested 565-seat conference. The Technical Committee distributed the seats among political parties, civil society organizations, youth and women’s groups, and ethnic or regional groups.\footnote{Zeinab Abdelkarim, Eric Hodachok \& Danielle Monaco, \textit{Yemen’s Transition: Electoral Challenges and Opportunities for Reform}, CENTER FOR DEMOCRACY, DEVELOPMENT AND THE RULE OF LAW, 9 (Jun. 2013); Yemen Times, \textit{National Dialogue Conference’s Share Distribution Decided}, (Nov. 29, 2012).}

Alternatively, preparatory committees may be slightly less involved in direct participant selection and may instead establish guidelines or qualification requirements for selecting individual dialogue participants. In Benin, for instance, the preparatory committee set the qualification requirements, selection parameters, and number of representatives to be selected for participants. The committee then let the identified constituencies select their own members in adherence with that framework.\footnote{Katia Papagianni, \textit{National Dialogue Processes in Political Transitions}, CIVIL SOCIETY DIALOGUE NETWORK, 6–7 (Jan. 2014).}

Conclusion

As this chapter expressed, preparatory committees are not only one of the most important elements of establishing a dialogue, but also their activities and effectiveness can be determinative of a NPD’s ultimate success. Because preparatory committees typically have so much influence on a dialogue’s structure and functions, parties seeking to influence a dialogue’s design or operations will often dedicate extensive efforts towards designing a preparatory committee’s
mandate, selecting its membership, and supporting its functions. Chapter 3 will focus on one of the most common and most important tasks for many preparatory committees—establishing an agenda for a NPD.
CHAPTER 3: AGENDA SETTING FOR A NPD

Introduction

Agendas establish a list of the parties’ shared goals and provide a comprehensive list of issues and topics for discussion for a NPD. Because a NPD agenda can dictate which issues will be open to discussion during a NPD, setting an agenda can be a highly contested process. Setting a clear agenda of issues ahead of NPD can decrease uncertainty in the dialogue and help to keep all parties engaged in predetermined dialogue tasks. Also, the process of setting an agenda allows parties to demonstrate respect for all other parties’ interests and can thus help to guarantee continued dialogue. Timelines associated with an agenda can be another important tool to keep the dialogue moving forward in a timely manner.

This chapter will examine the establishment of NPD agenda and explore how parties can develop and sequence agenda items for a NPD. Setting an agenda generally involves: (1) selecting a mechanism for codifying the general agenda framework; (2) developing specific agenda items; (3) sequencing items on the agenda; and (4) establishing a complementary timeline for the agenda.

Codifying a NPD Agenda

Some NPD framework agreements or peace agreements will provide at least a general NPD agenda. Alternatively, some NPDs rely on a preparatory committee to develop the agenda for the NPD process. Regardless of whether a NPD agenda arises from an agreement or from a preparatory committee, NPDs are typically most successful when the agenda setting process is as inclusive as possible.

Peace Agreements

Peace agreement providing for a NPD may include an agenda for a NPD within the agreement. Providing an agenda within a peace agreement can enhance...

transparency and establish NPD expectations at the beginning of the peace process. For instance, in the Democratic Republic of the Congo, the Lusaka Ceasefire Agreement established the agenda for the Inter-Congolese Dialogue (ICD). The Agreement created an outline of the issues to discuss during the ICD, ensuring that all parties were aware of the agenda items and the sequence of the dialogue.

Framework Agreements

NPD Framework agreements can also establish a NPD agenda. Usually, framework agreements broadly identify the key issues or themes that may be on the agenda, and a preparatory committee later develops that framework into a more detailed and comprehensive agenda. For instance, a general framework agreement for Yemen’s National Dialogue Conference (NDC) identified eight particular issues of importance to Yemen’s transition to include on the dialogue agenda. Subsequently, the NDC Technical Committee drafted a more specific and comprehensive agenda of 13 main agenda issues, however, all of the issues identified by the framework agreement were ultimately included in the final NDC agenda.

Preparatory Committee Documents

In instances where peace agreements or framework agreements do not provide for a NPD agenda, or where they only provide an overly general framework agenda, NPD preparatory committees may create a specific agenda for the NPD process. Because preparatory committees are typically representative of the parties to a NPD, instead of just the parties to a peace agreement, they can construct agendas that are reflective of the interests and priorities of all the

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stakeholders to the dialogue. Further, early consensus during the preparatory phase can establish shared expectations and provide a common objective.\footnote{International Dialogue on Peacebuilding & Statebuilding, The Role of Political Dialogue in Peacebuilding and Statebuilding: An Interpretation of Current Experience, NATIONAL DIALOGUE SUPPORT PROGRAMME, 17 (2011).}

The preparatory committee for Benin’s NPD identified the key issues of importance for the state’s transition and established the agenda for a NPD.\footnote{Interpeace, The Constitution-making Handbook, Appendix A.2 (2011), available at http://www.constitutionmakingforpeace.org/case-studies/a2-benin-1990.} The preparatory committee identified three focus areas for the agenda: (1) constitutional issues; (2) economic and social issues; and (2) education, cultural, science, sports and environmental issues.\footnote{Robert Dossou, Rapport Introductif n° 1 L’expérience Béninoise de la Conférence Nationale, SYMPOSIUM INTERNATIONAL DE BAMAKO, 599, available at http://democratie.francoophonie.org/IMG/pdf/1592.pdf.} Much of the agenda focused heavily on specific constitutional issues because the NPD was predominately centered on completing a draft constitution. The committee’s work on the basic principles of the new constitution laid the groundwork for focused and effective deliberations during the NPD.\footnote{Interpeace, The Constitution-making Handbook, Appendix A.2 (2011).} In Yemen, the Technical Committee to Yemen’s National Dialogue Conference (NDC) built upon and further refined the framework agenda provided by the NPD framework agreement. The Technical Committee created a detailed agenda of 13 core issues for discussion, as well as a highly detailed list of dozens of sub-topics divided across the specific agendas for the NDC's nine working groups’ discussions.\footnote{The Republic of Yemen, Final Report of the Technical Committee to Prepare for the Comprehensive National Dialogue Conference, 13–14 (Dec. 12, 2012).}

**Developing NPD Agenda Items**

Developing an agenda for NPDs is a highly important and potentially contentious process. Agenda items typically reflect the goals of the NPD, based on the needs of the state’s political transition and reform. Developing an agenda can help establish firm expectations for the national political dialogue.\footnote{Katia Papagianni, Civil Society Dialogue Network Discussion Paper No. 3 National Dialogue Processes in Political Transitions, EUROPEAN PEACEBUILDING LIAISON OFFICE, 6 (Jan. 23, 2014).} Parties setting a NPD agenda generally work together—sometimes with the support of mediators, facilitators, or other neutral 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.

*Identifying the Broad Issues for Discussion*
Before deciding on specific items for a NPD agenda and sequencing discussions, the parties or a preparatory committee first identify the broad issues for the dialogue to address. Often, these include one or two broad issues or concepts to a state’s political transition or reform, such as constitutional reform, political reform, human rights protections, transitional governance, reconciliation efforts, or other broad issues connected to a specific state’s peace process. In Lebanon, the parties broadly identified the issues before its National Dialogue as focusing solely on defense strategy and security issues. In Rwanda, where there are annual national dialogues, the broad issues that framed the individual dialogue agendas have included good governance, strengthening government reform, and sustainable development, among others. Once parties have established the broad issues to frame the dialogue agenda, the parties can then decide on more specific issue sand topics for discussion to populate the dialogue agenda.

Deciding on Specific Agenda Items

An agenda may provide a concise or an expansive list of specific items for discussion, depending on the nature of the conflict or the issues that need to be discussed at NPD. The level of detail included on the agenda varies from dialogue to dialogue. Detailed topics, which include sub-topics and specific issues, are helpful in providing guidance. Too much detail, however, may stifle flexibility in discussions. It is thus helpful for parties to agree on distinct main topics and provide the option to add or remove sub-topics if the need arises.

In South Africa, the parties identified the agenda items addressing the issues related to post-apartheid transition, namely (1) ending violence; (2) repealing discriminatory legislation; (3) establishing an independent media and broadcasting authority; (4) establishing the transitional executive council and its sub-councils; (5) creating an independent electoral commission; (6) protecting fundamental rights during the transition; and constitutional issues. In Yemen, the Technical Committee expanded extensively upon the eight focus areas into more than 70 substantive topics for discussion. While the broad agenda allowed Yemen’s NDC

to address issues of importance to all of Yemen’s political stakeholders, this expansive agenda caused delays in the dialogue process, as well as increased opportunities for dispute among the dialogue participants.\textsuperscript{157} Moreover, the agenda was viewed as ambitious and overly inclusive, as well as containing issues too technical for the general population to sufficiently understand.\textsuperscript{158}

Unlike Yemen’s expansive agenda, some states create highly focused agendas that only incorporate a few specific points. For instance, the Kenya National Dialogue and Reconciliation adhered to a relatively simple four-point agenda that addressed only a limited set of long-term political goals. The four items included: (1) taking immediate action to stop violence and restore fundamental rights and liberties; (2) addressing the humanitarian crises, promoting reconciliation and healing; (3) overcoming the political crisis; and (4) addressing long term issues such as constitutional and institutional reforms. This simple yet focused agenda helped to keep the talks concentrated on a core set of reasonable goals and practicable tasks directed at ending violence, addressing the humanitarian crisis, overcoming the political crisis.\textsuperscript{159}

**Sequencing Agenda Items**

Once the agenda items are established, the next key step is for the parties to sequence the issues within the agenda. Sequencing of the agenda items is important because it sets the tone for the discussions and can help build confidence among the dialogue participants.\textsuperscript{160} The sequencing process typically involves (1) identifying the core interests and priorities associated with the agenda issues and (2) strategically sequencing the issues within the agenda based on those core interests and priorities, as well as specific issues’ relative importance or value.

**Identifying Core Interests and Priorities**


\textsuperscript{160} Robert C. Bordone & Tobias Berkman, *Negotiation Advice for the 112th Congress*, HARVARD NEGOTIATION LAW REVIEW.
The first step in sequencing an agenda is for the parties to list the issues that all the participants and stakeholders may wish to discuss during the dialogue and to identify the related interests and priorities associated with the specific issues. Parties may designate issues as major or minor issues before setting an agenda because this determination may affect the sequence of discussions or allow parties to identify issues that are not appropriate for a NPD process. Part of this assessment may require the parties to determine the level of contention and complexity that surrounds the listed issues.

After listing the issues the parties wish to discuss, as well as their related interests and priorities, the parties can begin to frame the agenda around the varying interests of the participants using the strategic approaches described below. Throughout the agenda sequencing process, it can be helpful for parties to keep in mind that, in addition to providing a list of topics for discussion, NPD agendas can provide further detail and guidance for the dialogue by outlining the participants’ agreed upon core interests and goals for the dialogue process and outcomes.

**Strategic Approaches to Sequencing Agenda Items**

Generally, there are three main strategic approaches for determining the sequence in which parties will address listed issues during the dialogue: (1) addressing easiest issues first; (2) addressing major issues first; or (3) leading with complex issues.\(^\text{161}\) Regardless of the approach to sequencing parties pursue, successful agendas typically provide for some flexibility in the sequencing of the agenda to allow for adding, removing, or reprioritizing issues to the agenda because the dialogue may not always follow the initial progression laid out in the agenda.

Flexibility in an agenda can provide an opportunity for all interested participants to contribute to the dialogue and embrace opportunities for a more comprehensive dialogue that can be responsive to changing circumstances. Moreover, for any of the strategic approaches to sequencing agenda issues, parties can identify any possible links or overlaps between the agenda issues. This can allow for easier transitions between the different issues or stages of the discussions.

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and identifying linkages between issues can help to establish a more efficient agenda for the dialogue and/or help to build in additional flexibility.\textsuperscript{162}

\textbf{Addressing the Easiest Issues First}

One common approach to sequencing agenda issues, is to address the “easiest” issues first by focusing on topics for which the participants have a shared interest, or topics that are the least contentious or politicized in nature. Generally, these are the topics and issues least likely to cause extensive debate among the parties to the dialogue. This option can be especially advantageous if the participants wish to build trust and momentum at the start of the dialogue. Obtaining agreement on some issues at the beginning can instill optimism and good will among the participants, potentially making them more agreeable to compromise when discussing the more difficult issues later on in the dialogue. An additional consideration for this approach is whether a particular issue may be ‘easy’ to address with some dialogue participants but relatively difficult to address with others because some parties may attempt to turn ‘easy’ issues into difficult issues to influence the sequencing. This approach may thus afford strategic advantage to parties seeking to address certain issues in a particular order.\textsuperscript{163}

\textbf{Addressing the Major Issues First}

Under this approach, the parties setting the agenda can identify the most “important” or “major” issues for the success of the dialogue and then prioritize those issues over other “minor” issues through the sequence of the agenda. Under this approach, the initial focus is on issues that are highly determinative of the success of the overall dialogue. The ‘major issues’ may not be highly complex issues but instead might just be important principles the parties seek to agree on. The ‘major issues first’ approach can help provide clarity on the core interests of the participants, and it allows the participants to engage in a more detailed discussion of high profile matters early on.\textsuperscript{164} This approach can be helpful if the dialogue is restricted by a relatively short timeline because the parties can ensure that they reach outcomes on the most determinative issues. Moreover, by reaching early agreement on major or determinative issues, the parties may have more flexibility to negotiate more complex minor issues.

\textsuperscript{162} Robert C. Bordone and Tobias Berkman, Negotiation Advice for the 112th Congress, HARVARD NEGOTIATION LAW REVIEW.
\textsuperscript{164} Robert C. Bordone & Tobias Berkman, Negotiation Advice for the 112th Congress, HARVARD NEGOTIATION LAW REVIEW.
Leading with the Complex Issues

NPD parties may choose to begin the dialogue with the most complex issues listed on the agenda. This allows parties to first address issues that they have the most energy to engage in and before any internal divisions arise during the dialogue process. Addressing complex issues first may also allow parties to resolve complex and essential issue before moving on to easier ancillary issues. This process is typically most effective if there is already 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.

Establishing Timelines and Deadlines

Timelines are important tools for ensuring efficient NPDs and avoiding ill-defined dialogue or transition periods that can foster additional disputes or political unrest. Typically, parties engaged in establishing an agenda for a NPD will either frame the agenda around an existing NPD timeline, or they will develop a timeline to complement to the development of the agenda. Parties to a NPD can establish timelines to help maintain steady progress in discussions and deter delays in implementation. Steady progress along an established timeline can also help keep the parties focused on the elements of the dialogue agenda and working towards meaningful dialogue outcomes.165

Creating a Timeline to Complement the Scope of a NPD Agenda

Even during the early stages of agenda setting, it can be important for parties to a dialogue to remember that certain elements of a dialogue timeline and specific deadlines related to implementing dialogue outcomes can extend beyond the conclusion of the dialogue. By at least making considerations for such timelines and deadlines at the agenda setting stage, the parties can help to better ensure an effective dialogue. If a peace agreement or other operative NPD framework agreement does not provide specific timeframes for a NPD agenda, the NPD process can stall for months or even years. Not only can this delay the broader peace process, but it can also cause the peace processes to proceed without a national dialogue, which can limit the effectiveness of the broader peace process.

For instance, one of the main shortcomings of Rwanda’s national dialogue agenda and framework under the Arusha Accords was the lack of any deadlines for the implementation of dialogue outcomes. As a result, Rwanda’s national dialogue efforts stalled for nearly six years, compromising the original agenda and the effectiveness of the dialogue. 166 Lebanon’s national dialogue faced a similar fate because the Ta’if Accord failed to set any timelines for the national dialogue processes. 167 More than two decades after the Ta’if Accord, Lebanese officials still have not formed the national council envisioned by the agreement or engaged in any formal NPD discussions.

Specific Approaches to Structuring a NPD Timeline

NPDs face an increased likelihood of success when their agendas are accompanied by clear timelines for the NPD process. There are several different ways parties to a NPD may design and implement an effective NPD timeline, including: (1) creating a fixed deadline; (2) linking the NPD timeline to a specific elements within the broader peace process timeframe; or (3) providing a general statement or commitment that the NPD shall not delay the broader peace process. Any of the timeline approaches have important implications for establishing a NPD agenda because dialogue agendas cannot be so expansive that all of the agenda issues cannot be discussed within the prescribed timeframe for the dialogue.

Creating a Fixed Deadline for Fulfilling the Entire NPD Agenda

Some NPDs may feature a fixed deadline that encompasses an entire NPD agenda. 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. Yemen likewise used a fixed timeline, requiring that the NDC convene for a period not to exceed six months.

**Linking the NPD Timeline and Agenda to Broader Peace Process Timelines**

Instead of picking one specific deadline encompassing the entire NPD agenda and process, some states feature NPD timelines that are linked to the broader peace process or negotiations timeframes. In Guatemala, for instance, the parties to the NPD synchronized their discussions and delivery of NPD recommendations to the international mediator with the broader timeline for bilateral peace negotiations.

**Providing a Commitment that the NPD Shall Not Delay the Peace Process**

Some states include language in a peace agreement or NPD framework agreement providing that the parties commit that the NPD process shall not delay in the broader peace process. This approach is unique in that it does not fix any specific deadlines for the NPD process. 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 NPD timeline to the broader peace timeline also provided that the NPD would “not delay the conduct of the bilateral negotiating process.”

**Specific Timelines for Specific Agenda Items**

In addition to providing timelines for the broader NPD process and for addressing the entire NPD agenda, some NPDs may feature a series of more detailed timelines to govern specific elements of the NPD process and agenda. The framework agreement for Kenya’s national dialogue 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. For more complex or controversial issues, the dialogue agreement provided the parties with as long as

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171 *Framework Accord* art. III(ii) (Guatemala, 1994).

a year to conduct discussions.\textsuperscript{173} Rwanda’s NPD timeline was even more precise and time constrained, with annual national dialogues lasting for one or two days once a year and the participants discussing one to four agenda items each day.\textsuperscript{174}

**Conclusion**

A dialogue agenda can take many different forms and serve a multitude of purposes. In addition to ensuring that a NPD addresses the core issues facing a state and that the dialogue participants remain focused on the key items for discussion, NPD agendas can help incorporate a certain degree of flexibility into dialogue discussions or timelines. However, even the best designed NPD agenda can fall apart without representative dialogue participants dedicated to fulfilling the agenda. The next chapter will take a closer look at participant selection mechanisms and means engagement in NPDs, as well as the effect participation standards can have on NPD proceedings and outcomes.

\textsuperscript{174} Concept Note: the 10\textsuperscript{th} Annual National Dialogue Council (2012).
CHAPTER 4: PARTICIPANTS

Introduction

One of the more important elements of preparing for a NPD, especially as part of a broader peace process, is establishing participation standards for the dialogue. Because a NPD will typically have numerous stakeholders vying for strategic influence and advantages for the broader dialogue, determining stakeholder participation and engagement in a NPD can be a critical step. Not only is it important to ensure that all the necessary parties are represented at a dialogue, but it is also critical to ensure that illegitimate parties do not participate or that certain stakeholders do not garner unfair representation within the NPD.

An important goal of a NPD is to bring together a diverse group of participants representing the different sectors of the society. Therefore, selecting participants for the dialogue becomes an important process for achieving this desired inclusiveness. Determinations of which constituencies and individual participants participate in a NPD depend on a number of factors, such as: the context of the conflict, the political agreement, commission, or leader who mandates the national dialogue, and the relationship between the main parties to the conflict. Common participant groups for NPDs include, among others: government officials, military leaders, opposition parties, non-state armed groups, civil society organizations, and outside parties. Sometimes, parties to a NPD will strategically exclude certain participants from the dialogue process.

Participant selection typically occurs in two stages. The first stage is deciding which constituencies will be participants at the dialogue. A political agreement or dialogue preparatory committee may identify and select the constituencies to be represented. Deciding on constituencies also involves a determination of the size and composition of the dialogue. The next stage is selecting the individual candidates who will make up each constituency. The individual delegates can be elected, self-selected, appointed by a preparatory committee, or appointed by a government entity.

Selecting Constituencies
Identifying the constituencies that will participate in a dialogue process is a critical initial step in preparing for a NPD. Official dialogue constituencies often include members of the government and military, non-state opposition groups, political parties, and civil society groups based on age, gender, religion or ethnicity. One option is to identify the constituencies that will participate in the dialogue in a peace agreement or NPD framework agreement. In the absence of such a political agreement, a preparatory committee or government leader may designate the official constituencies to the national political dialogue. Alternatively, some states may choose a hybrid approach, combining a political agreement with appointments by a preparatory committee or government leader. Once constituencies have been identified, a preparatory committee can also determine the size and composition of each constituency delegation.

Constituency Selection by Political Agreement

Peace agreements or NPD framework agreements often provide a NPD’s legal mandate and framework. Such an agreement, or its implementation text, may specify the official constituencies who will participate in the dialogue. These agreements can have differing levels of inclusiveness. For instance, some agreements only specify the parties that signed the peace agreement to participate in the NPD. More commonly, the agreement will include additional, non-signatory groups in the dialogue as well.

Peace Agreements

Usually, the parties that sign the agreement are listed as participants in the dialogue. For instance, the Lusaka Ceasefire Agreement specified that the main Congolese parties that participated in the ceasefire negotiations would also participate in the Inter-Congolese Dialogue. Key stakeholders who are not

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179 Lusaka Ceasefire Agreement art. 3(19) (Democratic Republic of Congo 1999).
signatories to the peace agreement may also be participants in a NPD. For instance, civil society organizations tend not to be signatories of peace agreements but are often named in the agreement to be participants in the upcoming dialogue.\textsuperscript{180} In Yemen, though negotiations for the transitional agreement excluded leaders from the youth movement, civil society, ethnic organizations, and women’s groups, the implementation text of the agreement required their participation in Yemen’s NDC to achieve a high level of inclusiveness.\textsuperscript{181}

**NPD Framework Agreement**

A NPD framework agreement may establish the participant parties and the overall goals in the national political dialogue. In Kenya, the NPD’s Statement of Principles listed six tasks for completion, including constitutional reform and institutional reform in the judiciary branch. The NPD Framework Agreement then allocated each of these tasks to particular actors. The participants in the Kenyan NPD were the coalition parliament and government. The Ministry of Justice and the National Cohesion and Constitutional Affairs Commission were tasked with addressing constitutional reform issues.\textsuperscript{182}

**Constituency Selection by Preparatory Committee**

A peace or ceasefire agreement may also establish mechanisms for selecting official constituencies to the NPD, rather than name participants or constituencies in the agreement. A preparatory committee may also create sub-committees to manage a number of small tasks in selecting constituencies. In Benin, the president appointed a preparatory committee to plan the agenda for the dialogue and identify groups that would participate.\textsuperscript{183} The preparatory committee capped the total number of members for the national dialogue at 500 and allocated the


\textsuperscript{183} Katia Papgianni, National Dialogue Processes in Political Transitions, CIVIL SOCIETY DIALOGUE NETWORK, 6 (Jan. 2014).
number of representatives each constituency would be allowed. The committee did, however, allow each party to choose its own individual delegates.\textsuperscript{184}

Conversely, Yemen’s preparatory Technical Committee (TC),\textsuperscript{185} created a selection advisory sub-committee. The selection advisory committee nominated 40 top civil society organizations from which the TC would select 20 to participate in the NDC, and two individuals would represent each of the 20 organizations.\textsuperscript{186} The selection committee gave priority to professional organizations operating at the national level whose work is relevant to dialogue topics. Another selection advisory committee received nominations from youths and women not associated with a political party.\textsuperscript{187} The TC and the President of Yemen gave the final approval on the selected constituencies.\textsuperscript{188} Overall, Yemen’s constituencies were relatively inclusive because they represented different political parties, regions, civil society, youth and women.\textsuperscript{189}

\textit{Hybrid Constituency Selection}

Some states have used hybrid mechanisms to select dialogue constituencies. Hybrid mechanisms may include a combination of the various selection methods outlined in political agreements or utilized by preparatory committees. In the DRC, the Lusaka Agreement authorized a mutually agreed upon neutral facilitator to consult with the Congolese parties on what political opposition and civil society groups to invite to the ICD.\textsuperscript{190} The facilitator visited all 11 provinces in the DRC to supervise the designation of representatives for political opposition and civil society.\textsuperscript{191} The facilitator initially chose 15 opposition parties but later invited an additional 18 parties because the array of opposition groups made it difficult to

\begin{flushleft}
\textsuperscript{187} National Dialogue Conference, \textit{Membership Selection Mechanism}.
\textsuperscript{188} National Dialogue Conference, \textit{Membership Selection Mechanism}.
\textsuperscript{190} Lusaka Ceasefire Agreement Annex A (Democratic Republic of Congo 1999).
\end{flushleft}
define the parties.¹⁹² The Preparatory Committee then reviewed the facilitator’s recommendations to determine which groups would ultimately participate.¹⁹³

**Allocating Seats Among Constituencies**

After identifying the official constituencies to participate in a NPD, preparatory committees and dialogue organizers may need to decide the number of participants in the dialogue and the percentage of representation of each constituency when the numbers are not provided by an agreement.¹⁹⁴ A smaller dialogue could lead to easier consensus building but fall short in inclusivity. A larger dialogue may be inclusive but not an appropriate forum to discuss certain contentious issues.¹⁹⁵ Specific determinations can be made in consultation with international experts or by employing a domestic preparatory committee. NPDs can vary substantially in size, from as few as 84 participants in Guatemala’s Grand National Dialogue,¹⁹⁶ to 565 participants in the Yemen’s National Dialogue Conference,¹⁹⁷ to approximately 1,500 participants in Afghanistan’s Loya Jirga.¹⁹⁸

**Assistance from International Experts**

Many dialogues make participant decisions with input and assistance from international experts. In Yemen, the Technical Committee could not agree on the allocation of seats among the dialogue participants so the Yemeni president asked the UN Special Envoy to Yemen, to determine the size and composition of the constituencies. The TC accepted the Special Envoy’s proposed 565-seat

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conference and plans for distributing seats among political parties, civil society, youth and women’s groups not associated with political parties, and regional ethnic groups.\(^{199}\)

**Decision by Preparatory Committee**

Some preparatory committees determine the dialogue constituencies. In Niger, the state initiated a National Conference to discuss the transition, and tasked a preparatory committee with determining the dialogue constituencies.\(^{200}\) Most of the constituencies to the dialogue were allowed 100 delegates, but the armed forces delegation, which included the military, police, and national guard, was only allowed 40 delegates.\(^{201}\) Given Niger’s history of successive authoritarian military governments preceded the state’s first democratically elected government, the comparatively small representation of the military in the National Conference reflected the public’s desire to weaken the military’s influence in the newly democratic state.

**Selecting Individual Participants Within Constituencies**

After identifying the size and composition of the constituency to the dialogue, the next step is to choose the individual delegates who will make up each constituency. Common selection mechanisms for individual delegates include: (1) elections; (2) appointment processes; and (3) hybrid mechanism involving appointments by preparatory committees or the executive.

**Elections**

Dialogue preparatory committees may use an electoral process to choose individual participants within NPD constituencies. Elections can incentivize the creation of new political parties and organizations to organize themselves to represent others. Another advantage is that civil society can directly communicate with other key decision makers. However, the election process can be very

competitive, and it may allow political and military elites to continue to dominate the process.  

Proportional Representation within Constituency Groups
Depending on the context, candidates who are interested in representing a region or constituency can run in the elections. Each individual in the dialogue typically represents a group of constituents from a certain sector of society. For instance, to select delegates for Afghanistan’s Emergency Loya Jirga, each district, provincial center or municipal ward elected its own representative members. The number of delegates for each region was proportional with its population. Afghanistan used an indirect electoral process where electors were chosen who then voted for the representatives constituting about two thirds of the ELJ. The Loya Jirga Commission appointed the remaining third. The selection process in Afghanistan successfully brought different groups of Afghan society to the Loya Jirga and ensured the participation of women.

Two-Track Election
A representative and fair election process can contribute to the overall legitimacy and effectiveness of a NPD. To ensure election of representative delegates from constituencies, parties may employ a two-track election process. To prepare for the “all-party talks” that led to the Good Friday Agreement, Northern Ireland instituted a two-track election process where 18 districts each

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elected five representatives to represent their respective district in the talks. The people voted for particular political parties, and the ten political parties that received the most votes received an additional two representatives chosen through a second round of voting. This method of electing dialogue participants ensured that there were delegations representing all of the main communities and political parties in the talks. Many have credited the representative electoral process for selecting dialogue participants with the public’s acceptance of the Good Friday Agreement outcomes.

**Internal Appointment Process**

Constituencies may internally decide their representatives, or interested parties may nominate themselves to become part of the NPD. Allowing the individual constituencies to determine their own selection mechanisms can instill legitimacy in the dialogue process. Internal appointment can also ensure that some of the broadly defined constituencies, such as women and youth, are represented. This may lead to a better-organized and cohesive delegation in the national dialogue with clear and well-articulated goals. However, some may view this method as illegitimate if the self-selection process is not transparent and the constituency fails to conduct broad consultations.

In some NPDs, preparatory committees provide the number of delegates allowed per constituency, but leave the decision of choosing individuals delegates to the parties. For instance, in 1987, the Guatemalan government tasked the National Reconciliation Commission (CNR) with organizing Guatemala’s Grand National Dialogue (GND). The CNR convened the GND in 1989 and included

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official delegations from the government, opposition parties, and civil society.\textsuperscript{214} Each delegation chose its own representative.\textsuperscript{215} This gave civil society and women the opportunity to participate more extensively in the peace process. Additionally, the inclusive self-selection process helped shift perceptions that the state could have a political rather than military solution.\textsuperscript{216}

Hybrid Method

Using a hybrid method, preparatory committees or the executive can appoint delegates directly, in addition to reviewing and approving individual applications to participate in a NPD. The element of individual applications increases inclusivity and accessibility of a NPD, while preparatory committee’s direct involvement can be useful for more loosely organized constituencies. However, some may view this mechanism as overreaching.\textsuperscript{217}

In Iraq, the High Preparatory Committee (HPC) directly appointed many of the delegates to the Iraqi National Conference. The 100 members of the HPC, mostly comprised of the major political blocs, automatically received seats as representatives to the conference. Additionally, the HPC appointed another 360 delegates from various constituencies.\textsuperscript{218} In addition, the HPC appointed seven-member provincial supervisory committees in each of Iraq’s 18 provinces to select the provinces’ delegates to the National Conference. Individuals interested in participating could submit applications to the committee, who then selected the participants after a period of deliberation.

In Afghanistan, in addition to elections in each district, provincial center or municipal ward, women’s civil society organizations nominated women delegates.\textsuperscript{219} A Special Independent Commission, working in cooperation with the

\begin{footnotesize}
\textsuperscript{219} Procedures for Afghanistan’s Emergency Loya Jirga art. 8 (2002).
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United Nations, then selected the official representatives to the respective
delegation from the pool of nominated individuals. Further, in Afghanistan, any
resident could submit an application to be considered to represent a provincial
ward. This self-nomination process successfully provided a platform for
constituencies whose voices were usually ignored in political discourse. However, the inclusiveness of the dialogue was ultimately overshadowed by the
dominance of political elites during the dialogue.

221 Procedures for Afghanistan’s Emergency Loya Jirga art. 9 (2002).
222 Ebrahim Afsah & Alexandra Hilal Guhr, Afghanistan: Building a State to Keep the Peace, 9 MAX PLANCK
YEARBOOK OF UNITED NATIONS LAW 373, 423 (2005), available at
The box below provides a more detailed description of the participant selection processes for Yemen’s National Dialogue Conference, including the involvement of international actors and the specific mechanisms for allocating seats among constituencies.

**Participant Selection for Yemen’s National Dialogue Conference**

In Yemen’s National Dialogue Conference (NDC), the Technical Committee’s (TC) was responsible for deciding the size and composition of the dialogue, and the President had the authority to make final decisions on all appointments by the TC. When the TC could not agree on the allocation of seats, the Yemeni president then asked Jamal Benomar, the UN Special Envoy to Yemen, to propose the size and composition of the constituencies. The TC accepted Benomar’s proposed 565-seat conference to be distributed between political parties, civil society, youth and women’s groups not associated with a political party, ethnic and regional groups. Among 565-seats, youth, women’s groups, and civil society each had 40 seats, and 62 seats were set aside for President’s appointment from “other entities.”

In the process of selecting representatives of the constituencies, the Yemeni president assigned the 62 seats to tribal dignitaries, religious leaders and representatives of religious minorities, including Jews, who would otherwise be left out of the dialogue process. Some commentators have remarked that this structure signaled a societal change towards inclusiveness in Yemen’s transition.

To fill the 120 seats each assigned to women, youth, and civil society organizations, the TC created the Selection Advisory Committee to widely disseminate the call for submission of applications to participate in the dialogue. The TC further created two seven-member committees to each focus on selection of delegates from the Northern and the Southern governorate. The women and youth groups sent in applications to the Selection Advisory Committee. The TC then reviewed applications and selected 40 women and 40 youth groups. The civil society organizations also sent in applications to the Selection Advisory Committee. The Selection Advisory Committee submitted 40 organizations for TC’s review, and TC selected 20 organizations out of 40. Those 20 organizations had two representatives each at the dialogue. The TC submitted the list to the President for approval and notified the selected participants. Many commentators credited this selection process with more inclusive and productive negotiations.

**Conclusion**

State practice demonstrates that a NPD is often only as successful as its participants are representative and engaged in the process. Establishing participation standards for a NPD is thus often one of the most important tasks for parties preparing for a NPD. Moreover, selecting participants is generally an
extensive three-part process requiring careful consideration and planning—(1) selecting constituencies and verifying their legitimacy as stakeholders in the dialogue; (2) allocating seats among the constituencies; and (3) selecting individual participants to fill the constituencies’ seats. The next chapter will continue to build upon the materials from the last four chapters to focus on establishing the internal governance and leadership structures necessary to facilitate a successful dialogue.
CHAPTER 5:
GOVERNANCE AND LEADERSHIP STRUCTURES

Introduction

A dialogue’s governance structure encompasses the mechanisms that parties establish to oversee the dialogue process and to resolve any administrative issues critical to the success of the NPD. Governance structures are often crucial to the success of a NPD because they clarify participants’ roles and responsibilities, offer means for decision-making, and help to provide structure to the NPD’s processes. Weak or vague governance structures can distract NPD participants from substantive issues, offer opportunities for manipulation by powerful parties, fail to provide sufficient administrative and technical support for NPD, and generally limit the NPD participants’ ability to effectively reach key dialogue outcomes. As such, parties preparing for the dialogue can establish governance structures tailored to the specific context of a particular NPD’s processes and goals. Though it is crucial to establish NPD governance structures before the first dialogue sessions, some structural elements may emerge only after the dialogue begins.\(^{224}\)

Generally, NPD governance structures involve a hierarchy of authorities. This hierarchy typically consists of (1) the leadership, in the form of a Presidency or governance committee; (2) impartial facilitators serving governance functions; (3) the Secretariat General, which supports the NPD process by providing logistical and technical assistance; and (4) specific committees to facilitate consensus or assist participants in reaching agreement or consensus on contentious issues. Together, these elements of a NPD’s governance structure can operate to ensure that the basic functions of the dialogue are fulfilled and that the dialogue processes move towards meaningful outcomes in adherence with the NPD’s mandate and agenda.

NPD Leadership Structures

One or more interested parties may take on the leading role(s) within a NPD governance structure. NPD leaders and their specific roles typically vary depending on the context and scope of the dialogue. For instance, leadership can

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take the form of a NPD presidencies or governing committees, which may oversee the entire dialogue with support from an administrative or technical experts or personnel with symbolic significance. In other instances, impartial facilitators may lead the NPD process, serving similar functions as a NPD Presidency.

A centralized leadership entity can be essential for conducting a successful NPD process because a NPD without a clear governing entity may get off track or devolve due to disorder or mismanagement of dialogue proceedings. For instance, in Lebanon, the Ta’if Accord failed to sufficiently provide for, among other things, a centralized leadership entity to facilitate and govern Lebanon’s dialogue. As a result, Lebanon lacked a mechanism for moving the dialogue process forward, and the Ta’if Accord never yielded a meaningful national dialogue for Lebanon.

**NPD Presidencies**

NPD presidencies can be multi- or single-member entities consisting of one or more political leaders, technical experts, or other persons with symbolic significance or political influence. NPD presidencies generally oversee and lead the broad dialogue processes. Some NPD presidencies have the authority to call emergency meetings, to represent or speak for the NPD as a collective entity, or to resolve disputes beyond the jurisdiction of the working groups or separate committees designed to facilitate consensus on specific issues.

In Yemen, the National Dialogue Conference (NDC) Presidency consisted of nine members, including Yemen’s President Abd Rabbuh Mansur Hadi and eight other political leaders selected through a nomination and approval process designed to ensure the NDC Presidency was representative of the dialogue’s stakeholders. This broad and representative Presidency helped to ensure Yemen’s NDC was responsive to the changing circumstances and concerns of the dialogue participants. For instance, when Yemen’s Southern Movement protested the NDC closing plenary session for the Southern issue, the Presidency listened to the concerns from the Southern Movement and helped to facilitate continued

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discussions over the issue. The Presidency also served as a sort of spokesperson for the NDC and presented the NDC’s official positions to the media.

Unlike Yemen’s nine-member NPD Presidency, the Presidency for Guatemala’s Assembly of Civil Society (ASC) Dialogue had only one member. The Episcopal Conference of Guatemala appointed Bishop Rodolfo Quezada Toruño as the ASC Dialogue’s president. Under the ASC Framework Accords, the President could convene the dialogue assembly, organize its deliberations with the assistance of the Organizing Committee, and promote consensus on substantive issues. Moreover, the President served as a conduit between the UN and the dialogue participants, with a mandate to transmit the ASC recommendations and guidelines, participate in special meetings convened by the UN and the parties, and promote the ASC’s endorsement of bilateral agreements on substantive issues. Guatemala’s ASC Dialogue, which was a smaller dialogue designed to complement the broader Grand National Dialogue, was able to operate effectively with a single-member NPD presidency because of the smaller scope and limited mandate of the dialogue itself. Issues of inclusiveness or representation were of more concern for the Grand National Dialogue, which had more participants and a broader agenda.

**NPD Governance and Management Committees**

As a distinction that may exist more in name than in function, some NPDs feature governance or management committees at the top of their governance structures, instead of NPD Presidencies. These committees may sometimes exist as preparatory committees for establishing a dialogue, and they then take on the role of a governance or management committee after the commencement of the dialogue itself.

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230 The ASC had a mandate to conduct a dialogue and formulate positions on the substantive themes of the bilateral negotiations and to provide its recommendations or guidelines on these themes to the parties. The ASC Dialogue followed Guatemala’s broader Grand National Dialogue and Oslo Consultations and was designed to complement those dialogue processes by facilitating further consensus on five additional topics.


232 Framework Accord art. III (Guatemala, 1994).

233 Framework Accord art. III (Guatemala, 1994).
For instance, Rwanda’s NPD featured a National Unity and Reconciliation Commission (“NURC”), which served as both a preparatory and governing committee to Rwanda’s NPD.\textsuperscript{234} The NURC was an arm of Rwanda’s executive branch and was thus highly accountable to Rwanda’s existing executive powers. Specifically, the NURC was comprised of 12 members appointed by a Presidential order,\textsuperscript{235} and Rwanda’s president could replace the NURC members at any time, regardless of whether their three-year terms had expired.\textsuperscript{236} Within the NURC, there were additional organizational and governance structures, including a Board of Commissioners, the Supreme Organ, and the Executive Committee of the Commission, which was comprised of the President and Executive Secretary.\textsuperscript{237}

Unlike Rwanda’s NURC, which was accountable to existing government structures, South Africa’s CODESA dialogue had an independent Management Committee tasked with the overall political guidance of the dialogue. The Management Committee was highly representative and consisted of one delegate and one advisor from each political party participating in the dialogue.\textsuperscript{238} Moreover, the Management Committee oversaw the operations of the five CODESA working groups to ensure they fulfilled their mandates and adhered to the broader dialogue agenda. All of the working groups presented their reports to the Management Committee, which would then table the proposals at the CODESA plenary for approval and ratification.\textsuperscript{239}

**Governance and Leadership Roles for Impartial Facilitators**

Instead of relying on a NPD leadership entity comprised of existing political leaders or representatives of the NPD participants, some NPDs rely on impartial facilitators to fulfill the leadership and management roles of the NPD. The use of impartial facilitators can help ensure that the NPD structure serves all stakeholders


\textsuperscript{236} Law No. 03/99 art. 12 (Rwanda, 1999).


in conducting the dialogue, which may lead to greater cooperation among stakeholders.\textsuperscript{240} Where a state elects to use a high-profile facilitator to assist with the NPD’s governance structure, the public may perceive the process as more legitimate if the facilitator is also widely respected.\textsuperscript{241} However, establishing a facilitator-led governance structure can impact participant ownership and buy-in to the NPD process. Despite the impartiality of the facilitator, participants may desire greater inclusiveness and representation within the NPD leadership structure.\textsuperscript{242}

Many international facilitators have fulfilled leadership roles within NPD structures. For instance, the former U.N. Secretary General Kofi Annan facilitated the Kenyan National Dialogue after playing an important role in ending the 2008 post-election violence in Kenya.\textsuperscript{243} In addition, the African Union appointed a Panel of Eminent Personalities to support Annan’s mediation efforts. The Kenyan National Dialogue concluded with a power-sharing agreement and a longer-term agenda for peace.\textsuperscript{244} In contrast, Bahraini Crown Prince Salman Bin Hamad Bin Isa Al Khalifa convened the Bahrain National Dialogue,\textsuperscript{245} with the Bahraini government performing the role of the dialogue facilitator. As a result, many questioned the legitimacy of the Bahraini National Dialogue from its inception,\textsuperscript{246} and the process failed to advance democratic or social reforms.\textsuperscript{247}

**NPD Secretariat**

A Secretariat supports the work of the NPD leadership by overseeing the administration of the dialogue, such as providing technical support and coordinating logistics. A Secretariat may be comprised of several different

\textsuperscript{241} International Dialogue Peacebuilding and Statebuilding, CSO Input to Working Group Meeting on Political Dialogue, 13 (May 4 – 5, 2011).
divisions or departments, which provide specialized services to the NPD. Typically, a Secretary General, his or her deputies, and a large support staff lead a Secretariat.

Yemen’s NDC Secretariat General was responsible for providing support for all aspects of the dialogue, including: (1) administering all conference proceedings, (2) providing all the logistical support for the dialogue, (3) implementing a media plan, (4) conducting public outreach and education, and (5) maintaining documentation and record keeping procedures. A Secretary General and two Deputy Secretary Generals led the NDC Secretariat General. The Secretariat was comprised of eleven distinct departments, all with their own duties and responsibilities, and support staff.248

For the CODESA process in South Africa, the Secretariat played more of a supportive role. Specifically, the CODESA Secretariat and a Daily Management Committee worked closely together to support the efforts of the Management Committee, which fulfilled many of the dialogue leadership mechanisms.249 The Secretariat and Daily Management Committee were responsible for implementing all the decisions of the Management Committee.250 Similarly, the Steering Committee of the Lebanese National Dialogue served a supportive role by providing advice, knowledge resources, and strategic facilitation support to other dialogue mechanisms and internal leadership structures.251

Committees Responsible for Administration

NPD Secretariats are generally responsible for administrative functions, such as budget, finance, and security at the venues. Some NPDs create a department under the Secretariat to carry out these functions, while other NPDs may contract

248 These eleven specialized departments were: (1) Information Technology; (2) Conference Security; (3) Communications and Media; (4) Operations; (5) Finance and Budget; (6) Human Resources; (7) Delegate and Member Relations; (8) Internal Auditing; (9) Community Participation; (10) International Cooperation and Technical Support; and (11) Archiving and Documentation. National Dialogue Conference, NDC Secretariat General, available at http://www.ndc.ye/page.aspx?show=59.
250 South African History Online, Chapter 6 – Defining the Agenda.
an external party to take on the logistical aspect of the dialogues.

In South Africa, Multi-Party Negotiation Process (MPNP) contracted the Consultative Business Movement on a non-profit cost basis to provide the administrative and secretarial back up necessary for the MPNP.252 In Yemen, the Finance and Budget Department of NDC Secretariat General was responsible for (1) processing bank account information for all dialogue participants and support staff; (2) transferring stipends and salaries into participants' and staff bank accounts; (3) facilitating payment allowances for security costs; (4) following-up and implementing all administrative processes in associating with different departments; (5) responding to all inquiries and handling conference participants' complaints; (6) archiving operational expenses and making all financial information available to dialogue leadership.253 In addition, the Conference & Security Department was responsible for providing a secure atmosphere for NDC members, as well as securing the headquarters of NDC Secretariat General and the venue of NDC meetings.254

Another important administrative function for NPDs is accurate record keeping. Yemen’s NDC featured an Archiving and Documentation Committee, which was responsible for recording and documenting conference activities, archiving soft and hard copies of all documents relevant to the NDC process, and participating in the development of regular reports.255

Advisory Committees

NPD Secretariats may also include committees with specific advisory roles to further the dialogue process.256 The advisory committees may also ensure that the NPD agenda moves forward by monitoring decisions and policies and by helping to plan implementation processes for dialogue outcomes.257

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In Lebanon, for instance, the Steering Committee for the National Dialogue worked with the Common Space Initiative which offers designing and facilitation services for formal and non-formal structured dialogues among policy makers. Consisting of qualified Lebanese researchers and project staff with assistance from an international senior advisor, the Common Space Initiative has provided technical and research support to formal and non-formal national dialogues and consensus building initiatives in Lebanon.  

In Yemen, the International Cooperation & Support Department was responsible for providing technical assistance to the nine working groups, including identifying qualified experts to facilitate the working group dialogues and monitor the implementation of work plans. The Department was also responsible for identifying international experts, and managing relationship with international organizations providing support to the NDC, such as the UN Special Advisor to Yemen, Jamal Benomar. Moreover, Yemen’s NDC governance structure featured a Standards and Discipline Committee, which consisted of seven judiciary and administrative figures known for their integrity, impartiality, efficiency, and high moral standing. The Committee presided over violations and abuses of NDC rules and procedures.

Public Outreach Committees

The Secretariat also may create a committee responsible for outreach efforts to either initiate public outreach, or take over the work of the preparatory committee. During national dialogues for constitution drafting, the constitutional commissions may be responsible for conducting public outreach. For more information on public outreach, please refer to Chapter 6.

Committees Facilitating Consensus

Some NPDs establish a consensus building committee or a negotiating council to work with the thematic working groups to facilitate decision-making during the dialogue. A consensus committee plays an important role in NPD

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governance structure by helping to resolve disputes and generate consensus based on inclusive discussions. Consensus committees can function as a mediation or deadlock-breaking procedure. In Yemen, the parties formed a Consensus Committee to assist working groups in reaching consensus on controversial issues. The parties designed the committee to be inclusive, representing all political components and including the chairpersons of all the working groups. Yemen’s Consensus Committee was also comprised of the members of the NDC Presidency, the chairs of each working group, and members of the Technical Committee to ensure the legitimacy of the NPD’s governance structure, members of the Consensus Committee were also required to be representative of the political components of the NPD.

Sometimes, consensus committees facilitate consensus through multi-step processes, such as the development of specific strategies, bilateral negotiations, and breaking deadlocks. For instance, during the South African Multi Party Negotiation Process, the parties submitted their positions to the Negotiating Council. The Negotiating Council had seven technical committees comprised of non-party political experts, which submitted reports on substantive issues to the Negotiating Council through a Planning Committee. The Negotiations Council developed strategies to address the substantive details and facilitate bilateral bargaining. The Negotiations Council then sent the results to the plenary session, which used parliamentary procedures for decision-making. While this approach may be complicated, the mechanism provided effective solution where a consensus formation among the parties would be difficult. For additional information on building consensus in NPDs, please refer to Chapter 7.

**Conclusion**

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Both during NPD preparations and throughout NPD discussions, the entire dialogue process requires extensive management and coordination to ensure the parties make progress towards meaningful dialogue outcomes. Moreover, NPD proceedings often encounter situations that necessitate effective governance and leadership structures to coordinate dialogue activities, maintain momentum in discussions, manage logistics, build consensus among parties, and resolve internal dialogue disputes. Successful dialogues often exhibit strong leadership structures with specific governance and leadership mandates. Chapter 6 will explore one of the most important tasks for NPD governance, management, and leadership structures: facilitating public outreach and input throughout the dialogue.
CHAPTER 6: 
PUBLIC OUTREACH & INPUT

Introduction

Because many of the participants in a NPD come from larger political parties or opposition groups, which can be disconnected from other groups or the population at large, incorporating public input and feedback to the NPD process can be crucial for increasing legitimacy, transparency, and public buy-in. Therefore, planning public outreach mechanisms is an important part of preparing for and implementing a successful NPD process.

To facilitate public outreach activities, NPD preparatory committees or other NPD facilitators typically design mechanisms to regularly provide information about the NPD process to the public, for receiving public input on the dialogue process, and for incorporating public input into the NPD discussions and outcomes. Common activities for conducting effective public input initiatives include: (1) preparing early on for receiving input and designing input mechanisms; (2) conducting multiple phases of outreach before, during, and after the dialogue; and (3) processing the input through effective collection and incorporation means. Effective preparation, timing, and processing can help the public to understand the dialogue process and support the dialogue’s outcomes.

Early Preparations for Public Outreach

Effective efforts to educate the public about a NPD, incorporate public opinions into NPD discussions, and encourage public support and participation in the dialogue process requires detailed planning and preparation during the early stages of preparing for the NPD. Public outreach efforts during a NPD generally include both public education and public consultation. Public education generally begins during the preparatory phases of the NPD, as it informs the public about what topics are to be discussed at a NPD, provides the public with the necessary

mechanisms to develop and convey informed opinions on dialogue topics, and helps to determine which issues are most pressing to the broad population.271

Public consultation efforts generally start after the initial public education initiatives. Public consultation involves two-way communication between government and the public, through which there is a feedback loop of perspectives on issues and proposals, which provides the public with opportunities to influence government’s decisions.272 Some key foundational steps for preparing for a public outreach campaign for a NPD include delegating responsibility for public outreach and arranging logistics, including creating a preliminary budget for public outreach and developing methods for public communication.

_Delegating Responsibility for Public Outreach_

Parties to a NPD may delegate responsibility for conducting public outreach to different entities, including: NPD preparatory committees, specialized outreach units, or civil society organizations. Ensuring the responsibility includes logistical planning and preparatory work for public outreach can increase its effectiveness in achieving meaningful public input throughout a dialogue.

Preparatory Committees & Public Outreach

Preparatory committees work to address the initial technical issues of conducting a broad dialogue, including conducting public outreach and facilitating public input. In Libya, for instance, the preparatory committee for the NPD planned and implemented a public outreach campaign across the state.273 The public outreach campaign included meetings around with local leaders and citizens across Libya.274 The campaign increased public visibility for the dialogue, and at the same time helped to engage a range of stakeholders from Libya’s fragmented political landscape.275 In Afghanistan, the preparatory Special Independent Commission for the Convening of the Emergency Loya Jirga published and widely disseminated the rules of and procedures for the dialogue more than 10 weeks

before the dialogue was scheduled to take place, in an effort to increase public education about the dialogue process.  

Secretariats & Public Outreach
In some dialogues, the task of public outreach may be delegated to the dialogue secretariat. Typically, the secretariat is the arm of the dialogue that provides support to the leadership of the NPD and is in charge of all aspects of the administration of the dialogue, including logistics, media communications, community outreach and education, and documentation. Unlike most preparatory committees, secretariats can have mandates that begin during dialogue preparations and extend through the dialogue process, meaning they can engage in long-term public outreach efforts. Afghanistan’s Constitutional Loya Jirga dialogue process relied on the Constitutional Committee Secretariat to conduct public outreach—unlike the Emergency Loya Jirga dialogue process, which relied on a preparatory committee for public outreach. The Secretariat held public meetings, distribution of posters, newspapers, and radio and television programs targeting ordinary citizens as well as delegates to the Constitutional Loya Jirga.

External Outreach Unit
When the dialogue is a part of drafting a new constitution, the parties sometimes choose to create an external outreach unit. An outreach unit’s responsibilities may include educating the public about the NPD document drafting process, providing a forum for dialogue on constitutional issues, and reporting comments to the drafting commission. However, it is important for the outreach unit to establish plans and logistical arrangements before the public input process begins. For instance, as a part of Rwanda’s dialogue process, the Rwandan Constitutional Commission was responsible for public consultations. The Commission sent out a 60-question questionnaire for literate citizens and conducted group discussions on constitutional issues with illiterate citizens. The Commission consolidated public responses into a booklet that it redistributed to the

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276 *Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement)* art. IV(3) (Afghanistan, 2001).


public to collect additional feedback.\footnote{Government of Rwanda, \textit{Livret des Recommendations sur la Nouvelle Constitution}, (2002), \textit{available (in French) at} \url{http://www.constitutionnet.org/files/Summary%20of%20recommendations%20on%20the%20New%20constitution__uploaded.pdf}.} This process helped ensure public consensus on important constitutional issues.\footnote{Priscilla Yachat Ankut, \textit{The Role of Constitution-Building Processes in Democratization: Case Study on Rwanda}, \textit{INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE}, 18 (2005), \textit{available at} \url{http://www.idea.int/conflict/cbp/upload/CBP-Rwanda.pdf}.}

Alternatively, during Iraq’s national dialogues as a part of its constitutional drafting process in 2004, the National Assembly created an outreach unit with a mandate to provide constitutional information to the public, analyze public responses to a constitutional questionnaire, and report back to the Constitutional Committee.\footnote{Jonathan Marrow, \textit{Iraq’s Constitutional Process II: An Opportunity Lost}, \textit{THE UNITED STATES INSTITUTE OF PEACE}, p. 18 (Nov., 2005), \textit{available at} \url{http://www.usip.org/sites/default/files/sr155.pdf}.} However, public input was largely excluded from the constitutional drafting process because the outreach unit failed to complete their report on time due to logistical concerns.\footnote{Jonathan Marrow, \textit{Iraq’s Constitutional Process II: An Opportunity Lost}, \textit{THE UNITED STATES INSTITUTE OF PEACE}, p. 18 (Nov., 2005).} The outreach unit only had 8 weeks to conduct outreach and did not have sufficient resources or security to conduct outreach in a wide range of communities.\footnote{Jonathan Marrow, \textit{Iraq’s Constitutional Process II: An Opportunity Lost}, \textit{THE UNITED STATES INSTITUTE OF PEACE}, p. 18 (Nov., 2005).}

In Yemen, the National Dialogue Conference (NDC) Secretariat General established a Community Participation Unit conduct public outreach and communication efforts, ensure that the interests of Yemeni citizens were taken into account, guarantee that every citizen had to the opportunity to participate in the dialogue. The Unit engaged with civil society organizations to facilitate community outreach, as well as lead community discussions so that Yemeni voices could be incorporated into the NDC.\footnote{National Dialogue Conference, \textit{Community Participation FAQ}, \textit{available at} \url{http://www.ndc.ye/page.aspx?show=73}.}

\textit{Deciding Methods of Public Outreach}

To complete a successful public outreach campaign, the preparatory committees or other NPD facilitators may determine in advance how the entity tasked with outreach will communicate with the public and gather information. Establishing targeted and effective methods of public communication tailored to
the conditions in a particular state can aid in the level of participation in the public input process. Many NPDs will rely on local level public meetings, seminars, or workshops to broaden public outreach. In Libya, the preparatory committee conducted outreach by holding physical meetings in various cities to meet with local authorities and citizens and collect their inputs on discussion items for their NPD.286 Yemen used similar grassroots level meetings and support from local CSOs and research centers to conduct public outreach seminars and workshops.287

NPD public outreach efforts may also incorporate creative uses of various communications technologies and other public communication methods. For instance, South Africa and Rwanda both effectively used creative communication methods such as telephone hotlines, public meetings, and civil society outreach.288 Yemen’s NDC Community Participation Unit built “NDC tents” in public places, which featured televisions for the public to watch NDC activities, as well as Secretariat General representatives who could answer questions about the dialogue process.289 The Unit further led a broad public outreach media campaign that used national and local television and radio broadcast capabilities to disseminate information about the dialogue to the public, as well as transmit public opinions to the dialogue participants.290

Though there are a variety of methods that can be used to gather public input, not every method will be effective in every state, or even within every region in a state. Keeping that in mind, it can be beneficial for NPD facilitators to carefully consider the unique conditions of the state when deciding on which public outreach approaches to use, such as availability of internet and road conditions. For instance, in Yemen, the NDC set up a website and twitter feed to communicate with the public but this did not increase public awareness because

290 National Dialogue Conference, Community Participation FAQ.
Yemen had extremely low Internet usage rates. However, Yemen was able to reach more than a million people through a text message campaign. Both South Africa and Rwanda faced issues with illiteracy, so both states relied on telephone communications and public meetings, instead of written publications, to reach illiterate members of the public and inform them about the states’ dialogues.

Logistical Arrangements & Budgeting for Public Outreach

Addressing logistical concerns is a crucial component of preparing to engage in public outreach and receive public input. A preparatory or technical committee generally conducts this work by addressing concerns regarding duration, venue, resources, security, staff, and any other identified logistical concerns related to a public outreach campaign. These committees generally develop a budget and secure funding sources before making other logistical arrangements because the scope of the budget impacts the design and function of public outreach and input activities.

Developing a preliminary budget entails that the entity organizing the participatory process estimate its resources and determine how much money it will need to carry out its duties. The total cost of the public education, outreach, and participation programs will depend on the methods used. NPDs can incur very large costs, but the amount spent on NPDs and public participation specifically varies from state to state. For instance, Kenya spent an estimated $88 million, or $2.57 per person, on its outreach and participatory process, including the public referendum to approve the constitution after the dialogue. Yemen also spent a significant amount of money on public outreach and participation, approximately...
In contrast, Rwanda spent only $7.5 million on its entire NPD process, including public outreach. International organizations and other state governments may provide funding for public education and participation programs.

**Conducting Multiple Phases of Public Outreach & Input**

Public outreach efforts during a NPD generally involve multiple phases, including a pre-dialogue public education phase, a public consultation phase, and a post-dialogue communications phase. Broad participation during these phases can help to legitimize a NPD by putting forward the issues that are relevant to the general public and to the future of the state, as well as broadening the actors involved in the dialogue process. In the public education stage, the parties seek to educate citizens about the importance of a dialogue and how citizens might participate in public consultation efforts. In the public consultation phase, the parties encourage statewide dialogue on constitutional issues by soliciting public feedback. Public consultation involves two-way communication between government and the public, through which both become informed about perspectives on issues and proposals—this two-way communication provides the public with opportunities to influence government’s decisions.

Throughout these stages, the parties to a NPD can rely on many communication methods for reaching the public and seeking input. As discussed in the section on preparation, it is often beneficial to set up a structure for communicating with the public and obtaining input before the outreach process begins. Effective methods of communication and obtaining information take the conditions of the state and its citizens into account.

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Pre & Mid-Discussion Public Education

Public education efforts can help provide information about what topics are to be discussed at a NPD, provide the public with the necessary elements to convey an informed opinion on the dialogue topics, and help determine which issues are most pressing for the broad population. Programs that effectively educate the public before NPD process provide information that the general public easily understands. Successful public education programs typically address both the procedural and substantive components of the NPD process, help to translate materials into all relevant languages, and facilitate the rapid and timely distribution of educational materials about the dialogue. During the dialogue, ongoing public education efforts can continue to keep the citizens informed of the progress of the NPD and any changes in the process.

Pre-Discussion Public Education

Pre-discussion public education mechanisms can include establishing civic education workshops, developing a national curriculum and training local instructors, public broadcasts on radio and television, broad publications of informative print material, and even text message or social media campaigns. The most effective methods of communicating with the public before a NPD can vary depending on the information being conveyed, the available resources, the timeframe for drafting, and various local circumstances, such as literacy rates and linguistic diversity.

As part of its constitution drafting and dialogue process, Rwanda organized a broad-based and wide reaching public education program employing thousands of people to travel through Rwanda for six months to educate the public and encourage discussion. During the Multi Party Negotiation Process (MPNP) in South Africa, the government created a new Media Department, which initiated a print, radio and television campaign to explain the constitutional reform initiatives,

and to provide means for the citizens to comment on draft issues list prepared by the drafting committees.\textsuperscript{304} In addition, over ten million people per week listened to the Constitutional Assembly’s show on the radio and nearly 160,000 South Africans received the Assembly’s \textit{Constitutional Talk} newsletter.\textsuperscript{305} This led to increased awareness and understanding of the constitutional drafting process.\textsuperscript{306}

\textbf{Mid-Discussion Public Education}

During the NPD, parties keep informing the public about the discussions and decisions made during the dialogue. Parties may decide to institute a spokesperson, publish press releases as well as regular reports. In Kenya, the dialogue had a website where the parties posted all public press releases and relevant documents. The press releases included speeches made by Kofi Annan, who led the Eminent Panel of African Personalities, as well as statements updating the public on the progress during the dialogue.\textsuperscript{307} In Yemen, the Archiving and Documentation Department under the Secretariat General participated in the preparation of weekly and monthly reports on the NDC.\textsuperscript{308} The weekly reports were published on the NDC website, along with news on the Secretariat General and each Working Group. Additionally, each working group had a page on the NDC website, which linked to their Facebook page where the citizens could leave messages.

\textbf{Public Consultation}

A successful NPD process does more than merely educate the public on the process—it also actively consults the public and gathers public input. For the process to achieve these objectives, it is important that the dialogue participants be committed to a credible and transparent process where the concerns of the people


\textsuperscript{308} Archiving and Documentation Department, NDC, \textit{available at} http://www.ndc.ye/page.aspx?show=103.
are addressed and where they know that their opinions and concerns will be taken into account.\textsuperscript{309}

For instance, Yemen used a wide range of mechanisms to promote public education and public consultation during its NDC. Specifically, Yemen’s NDC Technical Committee (Preparatory Committee) organized a series of town hall meetings before and during the NDC, which were televised around the state, helped publish and distribute reports from the NDC, and created programs for public input through text messages and social media.\textsuperscript{310}

Relatedly, during the Multi-Party Negotiation Process (MPNP) in South Africa, the Constitutional Assembly obtained input from the public on issues to be considered by the Assembly in the constitution drafting process\textsuperscript{311} by inviting the public, through major newspaper advertisements,\textsuperscript{312} to present written submissions or oral statements at public meetings, telephone submissions, and online submissions.\textsuperscript{313} Local civil society groups helped the Assembly conduct face-to-face outreach in rural communities and areas low literacy rates.\textsuperscript{314}

While there was a high level of participation in the consultation process in South Africa, there were concerns about the process’ representativeness because most of the written submissions were received from well-educated population, the middle class, professionals, academics, and political activists.\textsuperscript{315} Additionally, because of the volume of submissions, the process gave more weight to submissions from organizations than individual members of the public.\textsuperscript{316}

\textit{Post-Discussion Public Education}

A NPD often releases outcomes documents to the public accompanied by press releases. In informing the public about developments within the NPD, media or public relations committees can perform the important role of publicizing the NPD outcomes. Furthermore, publicity for the outcomes can serve as an accountability tool by incentivizing leaders to implement the outcomes. For instance, the Yemen National Dialogue Conference presented its Final Document of outcomes to the public through the media and the NPD’s website. In South Africa, the Constitutional Assembly produced a finalized draft of the Constitution as a result of MPNP. The Constitutional Assembly sent out 7 million copies in South Africa’s eleven official languages. For more information on dialogue outcomes, please refer to Chapter 10 of this Handbook.

Processing Public Input

Successful NPDs take further steps from educating the public and receiving feedback. A successful NPD gathers public input and incorporates this input into the dialogue process. Incorporation of public input ensures that the public feels engaged in the process, and also ensures transparency. Incorporation of public input is especially crucial in a dialogue process where constituencies do not have fair representations.

Collecting Information

After engaging in public consultations, the parties to the NPD can engage in a transparent process of carefully considering the accumulated public views. Effective public input collection and processing efforts help the NPD parties to record, analyze, summarize and report huge volumes of information. Because responses may include tens of thousands of oral or written submissions, NPD preparatory or technical committees typically hire specialists capable of setting up systems for recording, electronically storing and backing-up submissions and analyzing them.

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For instance, during the MPNP in South Africa, the Constitutional Assembly created six thematic committees to address subsets of the dialogue principles, specifically, the drafting of the new constitution. Their main function was to receive public submissions and serve as the interface between the Constitutional Assembly and the public. Civil society organizations and individual members of the public alike could make suggestions about the new constitution. Public comments could be made via a specialized telephone line or in sectoral public meetings, or in writing via a website or mail. In total, the public provided nearly 2.5 million written submissions to the Assembly. The Assembly secretariat collected and assembled the submissions into themes and distributed the comments to each technical committee assigned to work on the Constitution to consider in their deliberations.

Similarly, the Rwandan Constitutional Commission distributed a 60-question questionnaire and tabulated questionnaire responses and summarized the results of the community discussions. The participation of the Commissioners themselves in the discussions enabled the Commission to more effectively incorporate the input from the public education and consultation phases into the new Constitution. Alternatively, Yemen’s NDC Secretariat General sent commissioners to town hall meetings throughout the state. These town hall meetings provided an opportunity for the public to ask dialogue participants questions about the dialogue process. However, the town hall meetings were not as successful as they could have been because they only provided a forum to ask questions and did not include processes for collecting public input.


Incorporating Public Input into the Dialogue

The purpose of collecting public input before and during a NPD process is to organize and analyze the peoples’ views so that NPD participants can incorporate them into the dialogue to better represent the diverse views of a state’s population. NPD preparatory committees or technical committee overseeing the NPD process typically receive and synthesize the public input for presentation to the NPD participants.328

In South Africa, the Constitutional Assembly was responsible for outreach efforts during the MPNP and constitution drafting. The six thematic committees of the Constitutional Assembly gathered submissions and incorporated them into a Refined Working Draft of the Constitution.329 The Refined Working Draft provided alternative options on several contentious issues and explained the way in which submissions were addressed and incorporated into the Draft.330 The Constitutional Assembly distributed over five million copies, with explanatory articles and graphics for the uneducated or illiterate, which elicited an estimated 250,000 submissions from the public.331 Subsequently, the MPNP re-opened negotiations on the issues addressed in the public submissions and the committees produced a revised draft.332 The Constitutional Assembly sent a revised draft to every person who had made a submission on the original draft.333 The South African Constitutional Assembly effectively incorporated public input at several stages of the Constitution drafting process.

Similarly, the Rwandan Constitutional Commission was responsible for outreach efforts during the dialogue held as a part of constitution drafting. The Commission circulated a booklet that collected and summarized all the input from the public. The circulation period allowed the Commission to verify the accuracy

of the initial input from the public.\textsuperscript{334} The Constitutional Commission considered public input during the Constitution drafting process.\textsuperscript{335} The Commission sent a draft to the transitional parliament, which debated the draft for two months and offered additional amendments.\textsuperscript{336} The amendments were presented to the public again, and then the Commission drafted a final draft of the Constitution.\textsuperscript{337} A referendum was held in 2003 and the new Constitution received 93% of the vote, indicating that there was widespread public support.\textsuperscript{338} As in South Africa, the Rwandan Constitutional Commission successfully incorporated public input throughout the various stages of the constitution drafting process.

Conversely, though Yemen’s dialogue featured extensive and comprehensive public outreach efforts, the public input and feedback were not effectively incorporated into the dialogue deliberations because many of the outreach consultations did not provide meaningful engagement and solicited shallow responses.\textsuperscript{339} While the majority of the Yemeni population expressed support of the National Dialogue Conference outcomes document following the dialogue’s conclusion,\textsuperscript{340} they also expressed concerns about transparency, inclusivity and incorporation of public input.\textsuperscript{341}

\textsuperscript{335} Priscilla Yachat Ankut, The Role of Constitution-Building Processes in Democratization: Case Study on Rwanda, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 18 (2005).
\textsuperscript{336} Priscilla Yachat Ankut, The Role of Constitution-Building Processes in Democratization: Case Study on Rwanda, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 18 (2005).
\textsuperscript{337} Priscilla Yachat Ankut, The Role of Constitution-Building Processes in Democratization: Case Study on Rwanda, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 18-19 (2005).
\textsuperscript{338} Priscilla Yachat Ankut, The Role of Constitution-Building Processes in Democratization: Case Study on Rwanda, INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 18-19 (2005).
**Key Elements of Yemen’s NDC Public Communications and Outreach Approach**

Yemen’s NDC included an extensive communications and public outreach strategy designed to generate general awareness about the NDC, and facilitate opportunities for public input and feedback. The specific public communications and outreach efforts included:

- 12 local radio stations broadcast 6 radio flashes about the NDC before its launch
- 11 Yemeni television channels broadcast 5 television clips about the NDC before its launch
- 5 Yemeni television channels & 3 Pan-Arab channels provided live coverage of the NDC
- A two-round nationwide outdoor campaign with, 16,000m² of billboards, lamp post signs, and outdoor banners from the NDC Secretariat
- An online advertising campaign across 21,000 computers in 1,173 internet cafés in Yemen reached 200,000 youth & students
- The NDC official website provided daily updates to approximately 1,600 persons per day
- The NDC developed an extensive social media presence with 14,000 likes on Facebook and 1,027 followers on Twitter
- The NDC created communication and outreach partnership agreements with Ministries of Information, Endowment (mosques), Sports and Youth, Education, and Human Rights
- Distribution of NDC identity and visibility materials, including official banners and flags

**Conclusion**

Perhaps the most important characteristic of a successful NPD is the ability to incorporate the views of as many people as possible and to ensure that the dialogue process is as inclusive and representative as possible. To achieve this, successful NPDs typically feature a dynamic feedback loop for disseminating information about the dialogue to the public while also incorporating public input into the dialogue discussions. Effective public outreach requires long-term planning and extensive resource allocation to ensure sufficient breadth and scope of the public outreach efforts. The next chapter builds upon the last several chapters to analyze effective methods for structuring a NPD.
CHAPTER 7:
STRUCTURE OF DIALOGUE PROCEEDINGS

Introduction

The structure of a NPD can shape the tone of the dialogue, influence the relationships between participants, and help determine the dialogue’s outcomes. NPDs can employ various organizational structures tailored to the dialogue’s purpose to facilitate successful discussions of substantive issues. Generally, the structure of NPD discussions will depend on the parties involved, the internal NPD leadership, and the topics for discussion. Clarity regarding the structure of discussions and the roles of the various participants can provide for a more efficient dialogue and foster consensus building among the participants.342

The purpose of this chapter is to discuss NPD structure and the function of specific sessions and mechanisms. The structures generally include: (1) plenary sessions and their role in NPD structure and function; (2) working groups for substantive discussion; (3) decision-making mechanisms; and (4) communication mechanisms.

Plenary Sessions

Plenary sessions are NPD sessions that include all of the dialogue participants. Plenary sessions allow the parties to engage on issues relevant to all of the participants and thematic working groups. NPDs generally involve several rounds of plenary sessions, including: (1) an opening plenary sessions; (2) intermediate plenary sessions; and (3) a closing plenary session.

Opening Plenary Sessions

NPDs often open with a plenary session that includes opening remarks and the establishment of dialogue procedures.343 Before the parties progress to more

substantive issues, opening plenary sessions allow the parties to convene and elect committees with specific mandates, as well as review the issues on the dialogue agenda and discuss logistical concerns.\textsuperscript{344}

\textbf{Statements of Commitment}

Opening plenary sessions allow the parties to invite international figures to make a public display of support for the dialogue process. This may be critical for attaining public support and trust at the outset of the dialogue, and can enhance dialogue guarantees—as discussed in Chapter 1. For instance, UN Secretary General Ban Ki-moon spoke at the opening of Yemen’s National Dialogue Process and affirmed the process’s commitment to operating in a constructive, participatory, and representative way.\textsuperscript{345} In Kenya, the parties to the National Dialogue and Reconciliation issued a joint statement to publish the agenda and demonstrate their commitment to the process of dialogue.\textsuperscript{346}

\textbf{Resolution of Outstanding Issues}

Opening plenary sessions provide an opportunity for NPD participants to resolve any outstanding substantive, administrative, or logistical issues. For instance, while many parties come to the plenary session with the agenda items decided, the opening plenary session may provide the parties the opportunity to make final decisions on specific agenda items and/or the sequencing of discussions. The opening plenary session may also allow the parties to formally establish committees or working groups with specific mandates.

For instance, in Yemen, the parties elected members of the Standards and Discipline Committee at the opening plenary session.\textsuperscript{347} The Technical Committee recommended seven judiciary and administrative figures to the dialogue’s Presidency, and the Presidency endorsed the recommendations.\textsuperscript{348} In Kenya, the Panel of Eminent African Personalities facilitated multiple opening plenary sessions to lead the parties to agree on the agenda items. During these opening


\textsuperscript{348} Standard and Discipline Committee, National Dialogue Conference, Yemen.
plenary sessions, the participants agreed on the agenda items and started holding discussions around the agenda items. Similarly, during Guatemala’s Grand National Dialogue, the participating parties used the opening plenary session to allow the dialogue delegates to discuss all proposed topics for discussion and the priority of these topics.

**Intermediary Plenary Sessions**

Intermediary plenary sessions allow for all parties to a NPD to reconvene throughout the dialogue process to report on the progress of the individual working groups or committees. Further, parties can also use intermediary plenary sessions to engage in substantive discussions that are relevant to the members of all working groups, dialogue participants, and other stakeholders. Additionally, parties may use intermediary plenary session to decide on issues that require broader consensus among the dialogue participants.

Tunisia’s national dialogue featured a series of intermediate plenary sessions to address a wide variety of especially important or contentious issues. There were specific plenary sessions focused on, among other things: elections, votes of no-confidence, prime minister selection, and even discussions of how to convince parties to rejoin the dialogue process.

Yemen also held several plenary sessions for its NDC to review reports for thematic working groups and discuss broader issues such as federalism. The

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NDC also published outcomes after the intermediary plenary discussions to track the progress of discussions and codify agreements parties had reached thus far. In addition, intermediary plenary sessions provided an opportunity for international guarantors to renew support for the process and to help mediate the dialogue. The G-10 Ambassadors to the United Nations attended Yemen’s second plenary session to express support for the dialogue process and announce the launch of the NDC Consensus Committee.

Closing Plenary Sessions

During the preparatory stages for a NPD, the parties may agree on certain requirements and goals for a closing plenary session to guide the discussions and NPD outcome preparation. Closing plenary sessions occur after the NPD’s thematic working groups and committees have completed their discussions or fulfilled their mandates. These sessions allow the parties to come together to express support for the dialogue outcomes and the subsequent implementation process. Notably, the NPD members can vote on an official outcomes document and provide plans for implementing dialogue outcomes.

The closing plenary session of Kenya’s National Dialogue and Reconciliation Process provided an opportunity for the parties to express their support and commitment. Participants created and signed a Statement of Purpose and an Implementation Matrix to affirm their commitment to implementing the results of the process. Similarly, at the closing meeting of the national dialogue committee in Lebanon, the President, as the chairman of the national dialogue, recalled the most important decisions and principles from the dialogues. During the closing plenary session of Yemen’s NDC, the members unanimously voted in support of the final NDC statement and outcomes document.

Thematic Working Group Sessions

Following a NPD’s first plenary session, the parties typically address substantive discussions and drafting through thematic working groups. Each working group generally focuses on a contentious issue requiring negotiation and compromise. In establishing working groups, balanced representation is crucial to ensure that all stakeholders have an opportunity to hear and present proposals. The wider public may be less receptive to proposals or decisions from working groups that lack important stakeholders. Establishment of working groups allows for effective multitasking throughout the dialogue, which may provide an efficient topic progression during the dialogue. To streamline the process, the parties may select the participants of each working group during the preparatory phases of the NPD.

**Sequencing of Working Group Meetings**

Some NPD working groups meet concurrently while other NPD working groups may meet sequentially. The principles of sequencing agenda items described in Chapter 3 may apply in sequencing working group meetings.

**Concurrent Working Groups**

NPD working groups that meet concurrently tend to meet more frequently. Furthermore, the sessions tend to be more intensively focused on resolving a few specific issues, and involve considerably more regular meetings and in-depth discussions. Concurrent working groups also operate with an assumption that the members of one working group cannot attend other working groups held at the

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same time. For instance, Yemen’s NDC divided into nine working groups, with each working group focused on a single main issue and related sub-topics. With the goal of reaching a consensus, each thematic working group debated proposals for several months.\textsuperscript{364} The thematic working groups successfully resolved all but the most contentious issues, such as federalism, which were resolved through specialized ad hoc committees.\textsuperscript{365} Similarly, Iraq’s NPD used a concurrent thematic working group approach. However, because the dialogue had only four working groups to address five broad themes, the dialogue was only able to address a limited number of issues it was originally mandated to discuss.\textsuperscript{366}

**Sequential Working Groups**

Other NPDs have their working groups meet sequentially. These thematic working groups may be structured as a series of sequential panels or roundtable discussions.\textsuperscript{367} Unlike concurrent thematic sessions, the members of the dialogue can attend many or all working group sessions and provide input. Importantly, sequential sessions require proportionate amount of time to the length of the agenda items. For instance, the structure of Kenya’s National Dialogue centered on a series of panel discussions to discuss three short-term agenda items within the first 7-15 days.\textsuperscript{368} The parties had one year to the forth agenda item because the fourth item included long-term issues, such as constitutional reform, undertaking land reform, and tackling poverty.\textsuperscript{369} In Rwanda, where there are multiple annual dialogues, the 10\textsuperscript{th} annual National Dialogue discussed four topic areas over the course of two days. The sessions included presentations on each topic area and panel discussions with maximum four panelists.\textsuperscript{370}

**Decision-Making Mechanisms**


\textsuperscript{368} Kenyan National Dialogue and Reconciliation on the Resolution of the Political Crisis: Annotated Agenda and Timetable (Kenya, 2008).

\textsuperscript{369} Kenyan National Dialogue and Reconciliation on the Resolution of the Political Crisis: Annotated Agenda and Timetable (Kenya, 2008).

Most NPDs operate based on an assumption that the parties will reach agreements by consensus.\textsuperscript{371} Consensus ensures inclusive and participatory decision-making, and encourages the entire group to process the issues at hand.\textsuperscript{372} Because of the size of the plenary and the importance of consensus at NPDs, a review procedure to finalize outcomes can help achieve unanimous approval on final outcomes. Therefore, during NPDs, the parties may decide on a voting mechanism to define sufficient consensus to move forward with outcomes on particular issues. Rules or procedures outlining this mechanism may clarify where and when certain decisions are made, track developments in various working groups, and ensure the cohesion of the overall dialogue process.\textsuperscript{373}

Participants design the decision-making mechanisms in a way that the parties can continue to review outcomes and provide recommendations while working towards final outcomes. After reaching consensus, the parties generally take the outcome to the plenary session for further endorsement.

\textit{Principle of Consensus}

NPDs may choose to adopt a consensus rule in an agreement before the start of the NPD process to avoid unilateral decision-making.\textsuperscript{374} In Peru, the Working Groups for the National Accord decided in advance that agreements from the dialogues required consensus, and that the minutes only would record agreements.\textsuperscript{375} In South Africa, the CODESA dialogue adopted a procedure of “sufficient consensus” to govern negotiations: the convention would strive to achieve consensus, but—if consensus could not be reached—the chair would decide whether “sufficient consensus” had been achieved to move forward with negotiations. There was also a necessary, but not sufficient, requirement for


\textsuperscript{372} Consensus Decision Making, a Virtual Learning Center for People Interested in Making Decisions by Consensus, \textit{available at} http://www.consensusdecisionmaking.org.

\textsuperscript{373} Kate Papagianni, \textit{Ten Considerations for the Design and Preparation of National Political Dialogue Processes}, CENTRE FOR HUMANITARIAN DIALOGUE, 3 (Feb. 2014).


consensus that no decision would be final unless the government and the opposition party African National Congress (ANC) were in agreement.  

Consensus Building Mechanisms

To facilitate consensus-based decision making, some NPDs establish a consensus committee or a negotiating council. These committees facilitate consensus by facilitating development of strategies, bilateral negotiations, and breaking deadlocks. For instance, during the South African Multi Party Negotiation Process, the parties submitted their positions to the Negotiating Council. The Negotiating Council had seven technical committees, consisting of non-party political experts, and these technical committees submitted reports on substantive issues to the Negotiating Council through a Planning Committee. The Negotiations Council developed strategies to address the substantive details and facilitate bilateral bargaining. The Negotiations Council then sent the results to the plenary session, which used parliamentary procedures for decision-making. While such an approach can be complicated, the mechanism can provide an effective solution for reaching consensus where a consensus formation among the parties themselves would otherwise be especially difficult.

Yemen’s NDC featured a Consensus Committee, which consisted of the NDC Presidency members, the nine heads of the NDC’s substantive working groups, members of the NDC Technical Committees, and representatives from civil society, women and youth groups. The Consensus Committee’s membership provided 50% representation for each the Northern and Southern delegations. Across the Northern and Southern delegations, 30% of the total Consensus Committee seats were reserved for women. If the parties at the working group

could not reach the necessary 75% consensus, the President had the authority to make a decision on the matter.\(^{381}\) Also if the working groups could not reach 90% majority vote for the issue to move forward to the Consensus Committee, the President had the authority to make a decision.\(^{382}\)

**Endorsement of the Plenary Sessions**

After the parties reach consensus, there is usually a plenary session to endorse and adopt the dialogue’s particular outcomes. In South Africa, the Negotiating Council submitted the recommendations reached by consensus to the plenary session for the Multi-Party Negotiation Process for final adoption.\(^{383}\) At the closing plenary session of Kenya’s National Dialogue and Reconciliation Process, participants signed a Statement of Purpose, and an Implementation Matrix to affirm their commitment to implementing the results of the process.\(^{384}\)

**Conclusion**

Dialogue proceedings often exhibit extensive and complex structures to facilitate meaningful and efficient discussions that can produce meaningful outcomes. In addition to plenary and work group sessions, successful NPDs typically include dynamic decision making and consensus building mechanisms. As the next chapter will highlight, complex NPD structures require careful planning for managing dialogue logistics.


CHAPTER 8: MANAGING THE LOGISTICS OF A DIALOGUE

Introduction

Given the complexity of NPD process, managing dialogue logistics is a critical element of conducting a successful dialogue. Moreover, planning and managing the logistics of a NPD can be a contentious process because decisions regarding a dialogue’s venue, financing, or media coverage may create real or perceived advantages for the parties involved. Dialogue organizers and participants thus often pay particular attention to managing NPD logistics, often relying on specially mandated individuals or committees responsible for managing the logistics and day-to-day activities and needs of the dialogue.

The purpose of this chapter is to provide an overview of important considerations in logistics preparation, including: (1) establishing responsibility for logistics management; (2) selecting a venue; (3) managing the finances; and (4) managing the media.

Establishing Responsibility for Logistics Management

NPD preparatory committees or secretariats typically delegate responsibility for managing logistics during the preparatory phase of a NPD. Extensive logistical preparation is critical for ensuring the efficient functioning of a dialogue’s activities and the advancement of a dialogue’s agenda.

Preparatory Committees

Preparatory committees can provide a valuable logistical support for planning and setting up a NPD, including developing a budget, selecting venues, organizing security, and other circumstance-specific tasks. For instance, during the preparatory stages of Yemen’s National Dialogue Conference (NDC), the Technical Committee provided logistical support for the NDC by developing criteria for the usage of funds, choosing office locations, providing transportation and travel arrangements for delegates, preparing the conference venue, arranging

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security, and organizing translations for media coverage.\textsuperscript{386} Similarly, the preparatory committee for the Inter-Congolese Dialogue (ICD) met for several months to set the date and location for the dialogue, as well as establish the ICD’s agenda, internal governance structure, and operating rules.\textsuperscript{387} The preparatory committee managed to make significant progress due to the representativeness of the 74-member committee, which was comprised of members from all of the parties to the dialogue.\textsuperscript{388}

**Secretariats**

A NPD secretariat is generally responsible for overseeing the administration of the NPD after the preparatory phase concludes. The secretariat may create a committee responsible for administrative and logistical tasks. For instance, Yemen’s Secretariat General had eleven specialized departments each responsible for a certain logistical aspect of the NDC. These departments were: (1) Information Technology; (2) Conference Security; (3) Communications and Media; (4) Operations; (5) Finance and Budget; (6) Human Resources; (7) Delegate and Member Relations; (8) Internal Auditing; (9) Community Participation; (10) International Cooperation and Technical Support; and (11) Archiving and Documentation.\textsuperscript{389} The Conference & Security Department was responsible for providing a secure atmosphere for NDC members, as well as securing the headquarters of NDC Secretariat General and the venue of NDC meetings.\textsuperscript{390} The Information Technology (IT) Department specialized in IT management and system development.\textsuperscript{391}

Similar to the work of a Secretariat General, all aspects of South Africa’s CODESA were supported by a Management Committee.\textsuperscript{392} The Management Committee provided the managerial and operational structure to oversee the

dialogue. The Management Committee was supported by both a Secretariat and a Daily Management Committee, which were responsible for overseeing the logistical administration of the dialogue, including secretarial services, travel, convention management, and finance.  

**Selecting a Venue**

Selecting a venue can be a contentious logistical and political issue. The careful choosing of the venue may contribute to the success of the NPD by ensuring participation, open discussion, and a positive climate for the dialogue. Security is an important concern to encourage participation and ensure the safety of all delegates. In light of these considerations, participants may consider both domestic and international locations to hold their NPD. For instance, Guatemala and Nepal chose domestic venues for their NPDs while the DRC dialogue took place abroad to ensure the neutrality of the venue. Yemen adopted a combined approach by holding most of its session domestically while also holding some strategy and confidence building sessions abroad.

**Convenient and Secure Venue**

Participants can consider whether the venue has adequate infrastructure, security, and accessibility to host a safe and productive dialogue. The comfort and confidence level of dialogue participants are important considerations when choosing a venue because they are necessary conditions for participants to have open conversations and negotiations. Locations that commonly provide such as

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atmosphere include convention centers, prominent hotels, universities, social organization headquarters, religious centers, or other neutral offices.\textsuperscript{398} For instance, in South Africa CODESA was held at the World Trade Center in South Africa, a neutral and comfortable location outside of Johannesburg.\textsuperscript{399} Likewise, the NPD in Equatorial Guinea brought together participants in the Sipopo Conference Center in the capital city of Malabo, which served as a neutral and comfortable venue.\textsuperscript{400}

Another important consideration for seeking ‘convenient’ venues is whether a venue will provide sufficient convenience for dialogue participants to communicate with their constituencies. Regular communications with constituencies and public outreach efforts can be crucial for the success of a dialogue, and venues and compromise these efforts. For instance, Guatemala’s San Mateo Ixatán dialogue took place in a remote city that provided sufficient neutrality and safety for a dialogue venue, but the city’s location increased the financial costs of the dialogue and required significant travel time for the participants.\textsuperscript{401} Moreover, most of Guatemala’s citizens were unaware of the progress made in the dialogue because of the participants’ inability to communicate with their constituents due to their geographic location.\textsuperscript{402}

\textit{Distraction-Free Venues}

Alternatively, a venue that provides limited opportunities for distraction may help the dialogue move forward. During the Inter-Congolese Dialogue (ICD), the parties held the first talks in Addis Ababa for neutrality, but the second talks occurred South Africa to help distance the participants from outside distractions.\textsuperscript{403} Specifically, during the second round of the ICD, the mediator Thabo Mbeki


relocated the talks from hotels to a remote village to help the parties focused on the issues of the dialogue.\textsuperscript{404} However, dialogues that occur outside of a state or that are largely closed off from the public run the risk of hurting perceptions of legitimacy and transparency for the dialogue’s processes. Plus, public outreach and participation may be more difficult if a dialogue is held abroad or in a secluded location.

\textit{Neutral Venues}

Dialogues often seek out a neutral venue so that the venue cannot be identifiable with any party to the conflict or create perceptions of bias. A perceived lack of neutrality and a search for an environment that is conducive to talks plays an important role in choosing a venue. For instance, in the DRC, the government initially insisted on holding the Inter-Congolese Dialogue (ICD) in Addis Ababa, Ethiopia instead of South Africa because of South Africa’s connection with Rwanda, an opponent of the DRC government.\textsuperscript{405} However, the mediator relocated the talks to a remote village in South Africa to help the parties focus on the dialogue discussions and escape the distractions of Addis Ababa.\textsuperscript{406} The facilitators for Guatemala’s dialogue carefully chose the venue for the Guatemalan dialogue, San Mateo Ixtatán, to ensure the neutrality of the venue. However, the location’s remoteness increased the financial costs and required significant travel time for the participants of the dialogue.\textsuperscript{407}

\textit{Symbolic or Representative Venues}

The symbolism of the venue is another consideration. It is important for the venue to be accepted by all the participants, and choosing a venue that is satisfactory for all (or most) may demonstrate to the parties and outside observers


the inclusiveness of the dialogue. For Mauritania’s dialogues on national development, for instance, the dialogue designers chose venues to reflect different geographic, economic, social and cultural interests. Similarly, the dialogues on Nepal’s constitutional process took place in diverse geographic locations across Nepal to benefit as many participants and local populations as possible.

Managing Dialogue Finances

A NPD can require a large amount of funding for successful operation. It is thus important for the parties to a dialogue to develop a budget and secure the funds to make sufficient logistical arrangements for NPD. The parties then may then manage the funds through a committee in charge of budget and finance, and may also institute means to ensure accountability, such as an internal audit department.

Establishing Responsibility for Finance Management

NPDs often feature a finance committee that secures and manages the funds for the logistical operation of the dialogue. Creating a finance committee can help delineate responsibility and increase accountability for the management of the funds, as well as alleviate concerns of the fair distribution of funds. Finance committees can be responsible for, among other things: (1) processing bank account information for all dialogue participants and support staff; (2) transferring stipends and salaries into participants’ and staff bank accounts; (3) facilitating payment allowances for security costs; (4) following-up and implementing all administrative processes in associating with different departments; (5) responding to all inquiries and handling conference participants' complaints; (6) archiving operational expenses and making all financial information available to dialogue leadership.

Soliciting and Securing Funds

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Participants can seek various sources for financial support. Possible sources include political parties, the government, or donors. National and international NGOs, multilateral organizations, and government agencies have provided funds for dialogue processes.\textsuperscript{412} External funding may be slow in the early stages of the NPD but may pick up as the NPD starts to show success.\textsuperscript{413} Dialogues may be supported by a combination of funds from a state’s government and outside donors. The involvement of outside donors, particularly international organizations, may increase accountability of the dialogue process. Additionally, dialogue participants may seek to diversify the funding sources to ensure that local, instead of external actors, drive the decisions and processes of the dialogue.

For instance, in Rwanda, the National Unity and Reconciliation Committee in charge of national dialogues have received funding from international NGOs, such as International Rescue Committee and the United States Agency for International Development.\textsuperscript{414} In Yemen, the Yemen National Dialogue and Constitutional Reform Trust Fund supported the NDC.\textsuperscript{415} The Trust Fund was established in cooperation between the Government of Yemen and the United Nations for the purpose of administering the NDC and Yemen’s political transition. The Trust Fund, which was administered by the United Nations Development Programme, enhanced the accountability and transparency of the dialogue process to the Yemeni people.\textsuperscript{416}

**Managing Funds**

Dialogue organizers and administrators often establish specific finance committees who are responsible for managing the NPD’s funds and producing appropriate reports on how the funds are spent. Parties may wish to institute clear

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\item \textsuperscript{413} Bettye Pruitt & Philip Thomas, *Democratic Dialogue – A Handbook for Practitioners*, THE INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 95, 98 (2007).
\item \textsuperscript{414} National Unity and Reconciliation Commission (NURC), *A Social Cohesion in Rwanda*, (2008), available at http://www.rwandapedia.rw/cmis/views/workspace%253A%252F%252FSpacesStore%252F1024a573-4Feb-4269-ab89-9dfb02cda48e.
\end{itemize}
guidelines outlining the expenses that will be reimbursed to prevent conflicts between parties regarding the use of funds.\textsuperscript{417}

For instance, in Yemen, the NDC Secretariat General established two departments, finance and budgeting, and internal auditing, to oversee the management of the dialogue’s funds. The finance and budgeting department was responsible for processing and transferring the salaries of dialogue employees into their respective bank accounts, facilitating payment allowances for security personnel and their expenses in connection with providing security to the NDC, keeping proper financial accounting of the NDC’s expenditures, and disseminating the financial information to the Secretariat General and NDC leadership.\textsuperscript{418} The internal auditing department acted as a check on the finance and budgeting department, as it performed audits before and after funds were released to ensure the proper appropriation of funds.\textsuperscript{419}

\textbf{Managing the Media}

Engaging the public through media is an important way to influence the public’s perception of the parties. A thoughtful media strategy can prevent inflammatory or biased news coverage. Please refer to Chapter 6 of this Handbook for detailed information on public outreach activities, including public education and public consultations through the media.

\textit{Session Coverage Management}

Parties can choose to have the dialogue completely confidential or to allow full access to the media.\textsuperscript{420} A completely confidential process can lead to rumors, fear or slander.\textsuperscript{421} However, a process that is open to the media could restrict open conversation, as participants may feel uncomfortable expressing their opinions.

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  \item National Dialogue Conference, \textit{Internal Auditing Departments}.
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Participants can agree on a good balance in deciding whether to keep the media informed by choosing a spokesperson and having a joint media plan.\(^\text{422}\)

Additionally, participants can use mechanisms such as community publishing, information campaigns, press conferences, televised debates and interviews, assemblies, interactive websites, songs, and social networks to communicate with the media and the public.\(^\text{423}\) In South Africa, the Multi-Party Negotiation Process (MPNP) was open to the media who could report as fully as possible on the process. Members of the public could witness the proceedings through a media overflow room. The public could also submit proposals to any committee on a variety of issues.\(^\text{424}\)

*Information Outflow Management*

Parties may manage information outflow by bringing on a spokesperson or publishing press releases. Parties also often establish a website where the citizens can conveniently access publicly available information on NPD.

**Spokespersons**

Participants can choose a spokesperson to provide information to the media. This person is usually a highly trained individual in the field.\(^\text{425}\) To avoid discord, participants can elect the mediator or facilitator as the spokesperson.\(^\text{426}\) This worked well in Guatemala where the parties did not communicate with the media until the NPD began.\(^\text{427}\) Once the dialogue began, the parties designated a spokesperson that could brief the media on progress on the NPD on behalf of each of the parties. The purpose was to keep the media informed but not to let the press coverage affect the NPD.\(^\text{428}\) In Kenya, the facilitator, Kofi Annan, often served as

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a spokesperson by making speeches and statements on behalf of the negotiating parties.429

**Press Releases**

Parties may also publish press releases to the media and on the website to manage public relation. This includes providing updates to the media through joint statements, declarations, as well as joint resolutions including dissenting opinions to ensure each participant’s voice is heard.430 For instance, in Kenya, the Kenya National Dialogue & Reconciliation has a website where the parties posted all public press releases and relevant documents. The press releases included speeches made by Kofi Annan, who led the Eminent Panel of African Personalities, as well as statements updating the public on the progress during the dialogue.431

**Websites & Social Media**

Parties may manage the information outflow by setting up a website and publishing regular reports and news from the dialogue on the website and on other social media platforms. The website and social media platforms can be a useful and low-cost tool for the parties to keep the public informed. In Yemen, the parties published weekly and monthly reports on the NDC website, along with news on the Secretariat General and each Working Groups.432 Additionally, each working group had a page on the NDC website, with explanation on the working group, any important discussions, and progresses. In addition, the working group pages linked to their Facebook pages where the citizens could leave messages by way of participation. Its Final Document of Outcomes was also published to the public through the media and the NPD’s website.433 In Rwanda, the ongoing annual national dialogue, *Umushyikirano*, manages a website with reports and presentations from the past and upcoming sessions. The website also provides the

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users an option to visit the dialogue’s Facebook page, twitter accounts, as well as Flickr account for photos.\textsuperscript{434}

**Conclusion**

NPDs involve numerous processes and procedures requiring extensive management and coordination. From selecting a venue to securing finances and managing the media, successful NPDs typically included careful early planning for managing the dialogue logistics. Because the parties to a NPD will already be engaged in extensive political discussions and negotiations, proper planning for dialogue logistics early on can prevent those issues from derailing substantive dialogue discussions. Moreover, international actors can provide key support in managing the logistics of a dialogue. The next chapter will provide an in-depth look at how international assistance can support a dialogue, including helping to manage a dialogue’s logistics.

CHAPTER 9:
INTERNATIONAL ASSISTANCE DURING A DIALOGUE

Introduction

International actors can supply a proper forum for discussion, help identify key issues, and provide the necessary resources needed to obtain positive outcomes. International assistance, however, can easily taint the dialogue if there is any real or perceived partiality or favoritism. Consequently, it is important that international actors act in a neutral and objective manner throughout its engagement with the dialogue process.

International assistance during NPDs can come from third party states, non-governmental organizations, intergovernmental organizations, and individual heads of state and other dignitaries. These international actors assist national political dialogues in various ways, including initiating the dialogue, acting as a facilitator, providing technical expertise, furnishing financial support, and helping to implement and monitor the NPD discussions and implementation efforts.

In requesting and receiving international assistance during the dialogue, the parties may consider, among other things: (1) sources of international assistance; (2) dialogue facilitation by international actors; (3) financial assistance from international actors; and (4) logistical assistance from international actors.

Sources of International Assistance

Most NPDs benefit from international assistance from a wide range of actors. Specifically, NPDs typically feature involvement from third party states, non-governmental organizations (NGOs), intergovernmental organizations (IGOs), and high profile international leaders or dignitaries. These international actors can serve both facilitative and substantive functions during a NPD, including increasing the dialogue’s legitimacy and helping to guarantee efficient and effective dialogue processes and outcomes.

Third-Party States

A third-party state may participate in the dialogue process by providing mediation, financial, technical, or logistical support. South Africa, for instance,
provided the physical venue location for the ICD, and South African officials served as moderators to the dialogue.\textsuperscript{435} The United States provided over $40 million to support Yemen’s National Dialogue Conference (NDC), as well as the implementation of the NDC outcomes. Norway similarly provided $20 million to help Kenya implement key parts of the National Dialogue and Reconciliation Process’ outcomes, including election reform and preparation for elections, and fulfilling requirements set forth in the new constitution.\textsuperscript{436}

\textit{Non-Government Organizations}

Non-governmental organizations (NGOs) can provide technical and logistical assistance in NPDs. NGO’s may also provide mediation or facilitation support to the dialogue. For instance, during Malawi’s NPD, the Netherlands Institute for Multiparty Democracy (NIMD) consulted with the dialogue’s key stakeholders, including the political parties, civil service organizations, and religious institutions, to identify key issues.\textsuperscript{437} The NIMD met with those groups informally and did not set any agendas. The NIMD’s neutral role as a facilitator helped to keep the parties focused on broad political objectives, rather than on personalized, often trivial matters of dispute.\textsuperscript{438}

Similarly, in Yemen, the National Democratic Institute (NDI) convened several town hall meetings with civil society and political party leaders and members of the public to solicit thoughts, questions, and concerns about issues relating to the NDC. NDI compiled and presented the public’s comments to the members of the national dialogue preparatory committee to consider when planning the dialogue.\textsuperscript{439}

\textit{Intergovernmental Organizations}

\textsuperscript{439} National Democratic Institute, \textit{NDI Programs: Yemen}, available at https://www.ndi.org/yemen.
The support of intergovernmental organizations (IGOs) is another common form of international assistance to NPDs. IGOs are comprised of individual states working together to achieve a common purpose or mission.\textsuperscript{440} Sometimes, a state may request the specific assistance of an IGO in their NPD to provide support as a mediator, facilitator, or guarantor. For instance, in the Lusaka Agreement, the DRC specifically requested the assistance of the African Union (AU) in organizing the ICD.\textsuperscript{441} The AU served as a mediator by organizing and managing the ICD and helping the parties select a neutral facilitator.\textsuperscript{442}

The UN has been involved in several national political dialogues around the world, in varying capacities. The UN Technical Assistance Team provided advice to the National Dialogue Preparatory Commission in Libya on international best practices for dialogues, as well as oversight to ensure the dialogue’s independence from the Libyan government.\textsuperscript{443} The United Nations Development Programme (UNDP) convened a national political dialogue in 2004 in Mauritania to discuss the state’s deteriorating security situation and emerging humanitarian crisis in an effort to avert an imminent violent conflict.\textsuperscript{444} The UN also served as a crucial facilitator of Yemen’s NDC. UN Special Envoy Jamal Benomar played a very active role on the ground in Yemen, providing expert and technical support to the dialogue’s planners and administrators.\textsuperscript{445}

\textit{Foreign Leaders and Other Dignitaries}

Former heads of state and other foreign dignitaries often serve as neutral facilitators to dialogues. In addition to providing additional legitimacy as a neutral third-party facilitator, foreign leaders and dignitaries may also have high levels of regional or international political influence, which they can use to support a NPD process and the implementation of its outcomes. In the DRC, the parties to the

Lusaka Agreement mutually agreed that the former President of Botswana would facilitate the ICD, and former South African President Thabo Mbeki ultimately mediated the ICD discussions. In Kenya, a Panel of Eminent Leaders comprised of former UN Secretary General Kofi Annan, former president of Tanzania, Benjamin Mkapa, and former First Lady and Minister of Government in Mozambique, Graca Machel, facilitated the Kenyan National Dialogue and Reconciliation process.

**Dialogue Facilitation Functions of International Actors**

The international community can help to facilitate dialogue among the interested parties to a NPD. As a facilitator, an international actor’s main role is to function as a broker between the parties. The international actor can open up lines of communication between the parties and help them identify the key issues and areas of mutual concern. An international actor may also act as a mediator to the dialogue to keep the parties accountable and focused on the important issues. International actors are most beneficial to a NPD process when they are impartial, politically sensitive, and have the ability to create collective ownership over the dialogue.

An international actor can facilitate NPD discussions by helping the parties to identify the key issues to be discussed on a NPD agenda. The member states of the Gulf Cooperation Council (GCC) and other members of the international community mediated and oversaw the drafting of Yemen’s transitional implementation mechanism, which stipulated the main issues and general structure of the Yemen’s NDC. The UN Special Envoy to Yemen, Jamal Benomar, was

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especially influential in identifying and addressing key dialogue issues, such as federalism and models for elections.\(^{451}\) In Lebanon, the Berghof Foundation established the Common Space Initiative to provide a venue and facilitate structured dialogues among policymakers and civil society actors, stakeholders and individuals. The Initiative aimed to build expertise and common knowledge resources on key issues for the dialogue participants and facilitate the dialogues.\(^{452}\)

**Technical Assistance from International Actors**

International actors can also provide experts to assist NPD participants with various technical issues. These experts provide specialized knowledge and experience in discussing key issues or advising on ways to develop and implement NPD outcomes.\(^{453}\)

In Yemen, international experts provided their knowledge and experiences to both the public and working groups that participated in the NDC.\(^{454}\) The UN provided 20 experts in constitutional systems, constitutional reforms, and federalism to advise on technical issues as the dialogue’s working groups were established. The UN also provided media and communications experts and conference planning experts to train the delegates and working group chairs in sessions with each of the delegate constituencies at the conference.\(^{455}\) During nationally televised town-hall meetings put on by an international NGO, international experts answered questions related to political transition issues from the audience and the general public.\(^{456}\)

**Financial Assistance from International Actors**

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\(^{454}\) National Democratic Institute, *Yemen*, available at https://www.ndi.org/yemen.


International actors can provide financial support to NPDs. Sometimes international actors offer the financial support, either directly or indirectly, or sometimes, states request the support in the form of grants or development aid. The financial support can help provide the dialogue’s logistical support, such as paying for venues, travel, and administrative workers. The financial support can also go towards implementing the NPD’s outcomes by paying for groups or organizations that implement and monitor the outcomes and resolutions reached through the dialogue process. Financial support may be given or facilitated by foreign governments, NGOs, or IGOs.

The United Nations Development Programme (UNDP), with the help of 14 donor members, distributed approximately $10 million from a basket fund to the Kenya National Dialogue and Reconciliation Process (KNDR). The UNDP used the funds to financially support the KNDR’s Coordination and Liaison Office (COL), which was tasked with conducting the dialogue and implementing its outcomes. The UNDP funds also went towards funding logistical support to the secretariat, to pay the expenditures of the various commissions created under the KNDR, salaries for the COL staff, and payments for the KNDR venues.

The United Nations set up a similar $35 million fund in Burundi called the Peacebuilding Fund. A little more than $3 million was used to support a project focused on increasing democratic culture through an inclusive NPD. Those funds were largely used to pay for personnel that conducted the dialogue and the facilities where the dialogue took place. Not only did the UN provide the funds, but it also took charge of distributing the funds.

**Logistical Assistance from International Actors**

International actors can also provide logistical support and administrative functions outside of financial assistance. International actors may provide a venue for the dialogues, or provide vehicles or computers.

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In Malawi, the Netherlands Institute for Multiparty Democracy provided secretarial support to the political parties during the dialogue.\(^{461}\) In Rwanda, several foreign governments supported Rwanda’s constitution-drafting process by providing vehicles, computers, training equipment, and materials for workshops and community meetings.\(^{462}\) South Africa provided the venue space for the DRC’s dialogue.\(^{463}\) In Lebanon, the Common Space Initiative offered a venue in Beirut.\(^{464}\)

**Conclusion**

International actors can provide key facilitative, management, and logistical support for a NPD. As identified throughout this Handbook, NPDs can benefit from international assistance for a range of NPD activities, including, among other things: providing NPD guarantees, supporting internal governance and leadership structures, conducting public outreach, managing dialogue logistics, providing funding, resolving disputes, and increasing dialogue neutrality and transparency. International support can even extend further into finalizing dialogue outcomes and providing for outcome implementation—as discussed further in Chapter 10.


CHAPTER 10: FINALIZING DIALOGUE OUTCOMES

Introduction

The process of finalizing NPD outcomes can set the stage for successful implementation of those outcomes, as well as the implementation of a broader peace or transition process. Often, a NPD ‘outcomes document’ will provide a compilation of the NPD’s negotiated agreements, recommendations, and working group or plenary decisions. To ensure the successful implementation of the outcomes, a NPD outcomes document may include principles of agreement to guide the next phase of the transitional process and implementation mechanisms. Because the ultimate success of a NPD depends on the effective implementation of meaningful dialogue outcomes, it can be important to at least plan processes for finalizing dialogue outcomes during the early preparatory stages of a dialogue.

Finalizing the NPD outcomes is a process that includes preparing proposals from working groups, compiling reports into final outcomes for approval, and presenting the outcomes to set the stage for implementation. A closing NPD plenary typically reviews the outcomes and makes recommendations before finally approving the outcomes. After approval, the NPD typically presents the outcomes to the public. The process of finalizing NPD outcomes leads to the next phase of the transitional process and can influence implementation of the outcomes through implementation mechanisms and procedures. The process of finalizing NPD outcomes generally includes: (1) approving the outcomes; (2) presenting the outcomes; and (3) setting the stage for implementation processes and mechanisms.

Approving Dialogue Outcomes

At the conclusion of a NPD, working groups may submit proposals for review and compile them into the final outcomes document. Some parties may decide to establish a committee to facilitate consensus based on working group reports. Other parties may have the working groups present their outcomes directly to the plenary to debate before inclusion in the final outcomes document. A designated committee can then incorporate the recommendations...
and submit a final outcomes document to the plenary for final approval. The plenary session ultimately approves these outcomes, and the outcomes document may also include documentation of other NPD activities, statements, or proposed implementation mechanisms.

For instance, the closing plenary session of Yemen’s NDC, the members also voted in support of the final NDC statement and outcomes document, including 1,800 recommendations. The closing plenary session also approved the creation of the 8+8 Committee as one of the final NDC outcomes. The 8+8 Committee was designed to allow negotiations over the contentious Southern Issue to continue after the closing plenary session of NDC.

Similarly, in Guatemala, an Assembly of Civil Society (ACS) dialogue convened by mandate under the Framework Accord between the government of Guatemala and the Guatemalan National Revolutionary Unity. The ACS produced five consensus documents on substantive themes identified in the Framework Accord, including constitutional reform and elections, strengthening civil society, and the identity and rights of indigenous people. Each thematic group had its own organizational structure to define priorities, devise proposals, and discuss and approve the outcomes of each plenary session. Separate ad hoc commissions of the assembly, with two delegates from each participant group, were formed to work on each of the five substantive topics and prepare draft consensus documents. The dialogue participants debated the drafts in plenary sessions until they reached a final consensus. The Organizing Committee also played a part in making key decisions by consensus, but they passed the most important matters on to the relevant plenary sessions.

**Presenting the Outcomes**

After the plenary session approves the final outcomes, officials can present

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the NPD outcomes to the public or select political leaders. The mandate and goals of the NPD generally determine the method of presenting the outcomes as well as the intended audience. Some NPDs present outcomes to heads of state or parliament, while others release their outcomes to the public. Presenting outcomes directly to political figures responsible for implementation may demonstrate the government’s commitment to reform. However, releasing outcomes to the public can promote transparency and foster public participation in the transition process. Parties designing a NPD may make decisions about presenting outcomes during the initial preparatory stages of the dialogue to prevent disputes over outcome presentation from arising later on and then hindering the dialogue process.

Presenting Outcomes to Political Figures

Instead of immediately publicizing the NPD outcomes, NPD officials can first present the outcomes to heads of state or other influential political figures, particularly when the NPD centers on political reform within the existing government. For instance, Jordan’s National Dialogue Committee presented a report of its conclusions on political party reforms to the Prime Minister. While the press later reported on the conclusions, the Committee’s outcomes report was not presented to the public. In contrast, the Bahrain National Dialogue not only presented the outcomes to the King, but also simultaneously published the outcomes online.

Publishing Outcomes to the Public

The NPD often releases outcomes documents to the public accompanied by press releases. In informing the public about developments within the NPD, media or public relations committees can perform the important role of publicizing the
NPD outcomes. Furthermore, publicity for the outcomes can serve as an accountability tool by incentivizing leaders to implement the outcomes. For instance, the Yemen National Dialogue Conference presented its Final Document of outcomes to the public through the media and the NPD’s website. Kenya and Bahrain similarly announced the outcomes of their NPDs and published the outcomes online. In Somalia, after the National Dialogue on Justice Reform, the conference delegates published their key conclusions and recommendations through the media.

**Setting the Stage for Implementation**

Finalizing the NPD’s outcomes can facilitate the implementation process by clarifying precisely how officials will implement the outcomes. The implementation principles and matrix may include issues, action items, timeframe, and focal point for the actions. The parties can also establish committees to oversee the implementation during the timeframe. As with decisions for presenting dialogue outcomes, NPD designers may plan for implementation principles and mechanisms during the initial planning stages of a dialogue to prevent disputes over implementation plans from derailing dialogue discussions or distracting participants.

**Implementation Plan**

NPD outcomes can include mechanisms to ensure the successful implementation of the NPD’s outcomes. These mechanisms may include agreements voted upon in the plenary that outline explicit tasks and procedures in the transition process. For instance, Yemen’s final outcomes document included

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a Guarantees Document outlining the principles of implementation, procedures of the election, and institutions responsible for implementing tasks in the next stage of the transitional process. In Kenya, the Participants created and signed an Implementation Matrix to affirm their commitment to implementing the results of the process. The Matrix included issues, actions, timeframe, and focal points among ministries and offices in the executive branch.

Implementation Monitoring Committee

Implementation monitoring committee assumes responsibility of overseeing the implementation of recommendations, assessing and resolving any challenges in implementation. For instance, Kenya established an external and independent implementation monitoring committee through the NPD outcomes document as well as commissions to implement tasks for the next transitional phase. In Rwanda, the annual national political dialogue serves as a forum to monitor implementation of recommendation from previous year’s recommendations. For instance, the national political dialogue in 2011 conceived the establishment of Agaciro Fund, a sovereign wealth fund designed to invest in high development impact projects. The national political dialogue in 2012 discussed updates on the establishment of the Fund and strategies to sustain it.

Conclusion

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The entire NPD process typically works towards the production of dialogue outcomes or recommendations to bring real change to a state and facilitate a meaningful political settlement or transition. Though outcomes come at the end of a lengthy dialogue process, planning mechanisms and procedures for finalizing dialogue outcomes and producing recommendations is important for parties to consider during the early stages of dialogue preparation to ensure the dialogue can achieve meaningful and implementable outcomes. This Handbook will be further supported by an additional forthcoming handbook focusing entirely on implementing NPD outcomes.
### ANNEX: BIBLIOGRAPHY OF KEY RESOURCES

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