

## ***IUCN and Conflict Resolution***

An Issues Briefing for the CEESP Task Force on Environment and Security

"In specific cases, IUCN might promote itself a neutral arbiter in a conflict, or potential conflict, with a clear link to natural resource management. IUCN should deliberately seek to develop its skills in conflict avoidance and resolution, and apply these to environmental disputes which threaten security".

Environment and Security: Identifying IUCN's Role  
Workshop Report and Discussion Paper, Gland 1998

What roles could IUCN play in natural resource-based conflicts that would help promote both peace and sustainability? This paper aims to help task force members identify some of the key issues and options for action facing IUCN within the conflict resolution field.

Conflict resolution processes have been widely studied, both at an academic level and in operation<sup>1</sup>. The basic premise of such processes is that they are 'alternatives' to traditional means for resolving conflict i.e. by force of arms. Typically, they require one party, whose interests are not directly affected by the conflict, to act as *convenor*, or initiator, of meetings between representatives of the parties. When issues are complex, parties are difficult to identify or fairly represent, and stakes are high, these meetings may be assisted by a process expert – a *third party* (or mediator), whose role is to assist the parties in identifying and communicating their interests, and developing packaged agreements that meet most or all of the interests of both parties. Parties work together to develop options, devise criteria for evaluation of these options, and construct multi-issue proposals for resolving the conflict. While parties may not be in accord with every aspect of a proposal, they have achieved 'consensus' when no one strongly objects to the package as a whole.

Among the issues frequently cited as especially important in the design of conflict resolution processes are:

- Neutrality of the convenor: It is important that whoever calls the process into action is perceived by parties as impartial as to the results.
- Financing: Sufficient funds are needed to cover not only the costs of the process and of the mediator, but also to assist the parties in bargaining effectively for their interests. In some cases it is also necessary to provide for the lost income or agricultural effort forfeited by parties that participate in the process. The source of these funds, or the means by which they are managed, need to be separate from the parties to the dispute, so as to avoid the appearance of bias. No less important, funds are needed to implement the resulting agreement, and frequently must come from sources outside the conflict.
- Longevity of the process: Consensus building processes require more time to complete than top-down solutions. This poses risks to the success of the process related to depletion of financing, loss of patience on the part of participants, and – in environmentally-sensitive issues – changes in the status of the resources at risk (i.e. further depletion).
- Identification and representation of key stakeholders: A key element of the design of dispute resolution processes is ensuring that the interests of all the key stakeholders (those who are affected by the resources in dispute, and those capable of blocking an agreement, should one emerge) are represented in some way that is mutually acceptable to the parties.
- Ripeness for resolution: Parties need to believe that they have an interest in a negotiated outcome – that is, that negotiation holds out the potential for a better result than can be achieved through continued hostility.

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<sup>1</sup> See for example, the work of the Harvard Program on Negotiation, the Carter Centre for Peace, and the Keystone Institute.

- Implementation and monitoring of agreement: The process is not over when a deal is struck between the parties. The convenor and/or mediator needs to ensure that adequate resources and attention are available to implement the agreement, monitor compliance, and revisit the agreement where necessary to ensure its continued stability.
- Selection and qualifications of third party (mediator, arbitrator...): The third party, or neutral, is a process expert whose role is to assist the parties in identifying their interests, communicating them, and building trust in the process and in each other. Because of the third party's important role in the dispute resolution process, it is vital that the qualifications, institutional origins and style be acceptable to the parties of the dispute.

Several *additional challenges* may arise in convening a dispute resolution process. For example, stakeholders in developing countries may lack experience with consensus building processes. They frequently lack technical knowledge, institutional capacity and resources. In the case of internal conflicts, politicians and civil servants may fear losing power through opening the dispute resolution process to 'outsiders'. The participants may be disingenuous and not bargain in good faith. There may be long-standing conflicts between parties that prevent them from meeting face-to-face. Finally, severe power imbalances may exist between parties, thwarting open dialogue due to implicit threats.

However, these challenges are not insurmountable. What is frequently lacking in emerging conflicts is someone whom the parties trust – or, at least, do not mistrust – who can act as a bridge to help them begin a dialogue. “[As] experience with the World Commission on Dams has reaffirmed...IUCN is uniquely capable of bringing together parties to a dispute or conflict in a neutral forum, and seeking ways to resolve the problem” (Gland, 1998).

The range of options for IUCN to intervene in conflicts, or potential conflicts, includes:

- Identification of instabilities: Seeking to identify areas of potential conflict and alerting relevant parties (using tools such as the scarcity index developed in the OECD report).
- Conflict prevention: initiating dialogue between potential adversaries to establish resource management regimes that defuse causes of conflict.
- Creating E&S Conflict Management Resource Centre: Establishing a registry of international mediators with relevant expertise, a 'toolkit' of conflict management options, and listing case studies of these options in action.
- Promoting E&S-based Conflict Management: acting 'behind the scenes' to identify stakeholders, potential mediators, and causes of the conflict, and to bring them together with a donor/convenor.
- Acting as convenor for E&S-based Conflict Management: bringing together the parties/stakeholders, the funds and either internal or external mediators under the auspices of IUCN to resolve the conflict through dialogue.

Each of these roles is an important one, and action on one does not preclude action in several or all. It is necessary, however, to take into account the special institutional strengths and weaknesses of IUCN relative to each. Among its strengths, IUCN is perceived as a *neutral partnership* between governments and NGOs, whose mission is to advocate science-based sustainable natural resource management. It is well *represented* – and also *field-experienced* – on the ground in many of the countries that are at risk of environment-related conflicts. It also has access to leading *technical* expertise regarding all aspects of environmental systems management, primarily use of 'renewable' resources such as water, forests, fisheries and agricultural lands, which are at the heart of many such conflicts.

Among its weaknesses, the Union may be perceived as an advocate for the environment. This may thwart its efforts where parties do not recognize the environment at the heart of their conflict. The Union may also be perceived as marginalizing the value-based religious and ethnic tensions within the conflict, in favour of

treating the tensions arising from environmental scarcity – an incomplete resolution. The Union may also not be seen as the natural home for E&S dispute resolution. Some would argue that other, more suitable homes for environment-related dispute resolution services include, for example, the United Nations Environment Program. Some would also argue that an environmental organization has no business embroiling itself in armed conflicts.

Among the roles identified above, those related to information gathering seem readily suited to IUCN's structure. For example, drawing on the wealth of data and expertise available from its sources in academia, governments and NGOs, it should be a natural fit for IUCN to monitor environment-based conflicts and identify emerging hotspots, disputants and issues.

Engaging in more-direct conflict intervention creates both perils and opportunities. Peril stems from embroiling the Union in complex, multidimensional and bloody conflicts in which the environment is only one among many causal factors. A failure to resolve the conflict, or a resolution that leaves one or many sides dissatisfied, and that results in further bloodshed, could damage the Union's reputation and other work. Opportunity, in that acting as a convenor could draw to the Union support, resources and funding for environmental action from outside IUCN's traditional constituency, and raise the Union's profile among national governments, the public, and other stakeholders.

It may be that IUCN is ideally situated to act as the convenor for environment-related dispute resolution processes, and in so doing make a very direct contribution to peace and quality-of-life. This task force is charged with determining to what extent it should try.

Further information on environmental dispute resolution can be obtained from:

-**Lawrence Susskind**, Director of MIT-Harvard Public Disputes Program [susskind@mit.edu](mailto:susskind@mit.edu)

-**John Gamman**, Principal, CONCUR, [www.concurinc.com](http://www.concurinc.com), [concur@concurinc.com](mailto:concur@concurinc.com), work to resolve environmental disputes in the United States, Eastern and Central Europe, Asia, Africa, the Caribbean, Latin America and the South Pacific, with emphasis on bioregional planning and developing country needs.

*Overcoming Obstacles in Environmental Policymaking*, Albany: SUNY Press, 1994.

-**Conflict Management Group** – projects related to peacebuilding in Latin America, E. Europe and Africa. [www.cmgonline.org](http://www.cmgonline.org) “Working with the parties together to improve the relationship, develop a better understanding of the situation and of each other, and develop creative yet realistic options for moving forward on issues of substance and process. Examples: Ecuador-Peru (border dispute), Georgia-South Ossetia (refugees, political status, other issues), Canadian negotiations with First Nations (Northwest Territories)”.