



PLATFORM FOR DIALOGUE FOR CONFLICT RESOLUTION IN CABO DELGADO

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CONFLICT RESOLUTION SERIES (NUMBER 5)

Negotiating with Violent Extremists in Cabo Delgado

This briefing provides considerations for the conduct of negotiations with violent extremists in order to resolve conflict in Cabo Delgado.¹ It builds on the four previous briefings in the Conflict Resolution Series, and promotes a resolution strategy underpinned by dialogue and negotiations, which also includes a military component, development initiatives and preventing/countering violent extremist programmes. A set of definitions are also provided to improve understanding of the terminology used in this brief. Despite the definitions provided, the terms are still an approximation for a reality that is far more complex.



Credits: HORN International Institute for Strategic Studies

¹ This brief draws heavily on the excellent research and analysis conducted by the Institute for Integrated Transitions, and the associated publications on *Negotiating with Violent Criminal Groups* and *Transitional Justice and Violent Extremism*.

Preparing for negotiations: defining violent extremism in Cabo Delgado

The Violent Extremist Organisation (VEO) in Cabo Delgado is often described as a terrorist/insurgent group, as well as a violent criminal group. Since negotiations with both types of groups is now commonplace in international peace-making, and there are rarely any differences in the violent tactics used by terrorists and violent criminal groups with their respective structures and activities often overlapping, does the descriptive quandary of the perpetrators of violence in Cabo Delgado make any difference to a negotiating strategy?

In short, yes, since a coherent negotiating strategy relies on a clear understanding of the aims and objectives of the VEO. Unlike terrorist/insurgent groups that pursue goals that are generally political, religious and/or ideological, criminal groups primarily pursue financial gain - using violence as a key tool by which to influence and/or weaken institutions of the state, control areas, and fight off competitors so as to maximise their gains and self-protection. **Therefore, despite showing some characteristics of both groups, the**

VEO in Cabo Delgado is more aligned to a violent criminal group than a terrorist/insurgent group - particularly given their sources of influence and funding, and a lack of clear political, religious or ideological-based strategy. This deduction alone helps to inform a coherent dialogue and negotiations strategy.

Yet, the sophisticated preparatory measures, methodological discipline, breadth of expert support and attention to the interests of the perpetrators of violence, which are common to modern peace talks in violent conflict / war situations, are the same for negotiations with violent criminal groups - and hence the VEO in Cabo Delgado. A set of strategic and tactical calculations for negotiation are required, including maximising sources of leverage before and during the process; managing spoilers; setting out an agenda with clear objectives and ground rules; identifying redlines; developing a common public message; combining incentives and threats; paying attention to questions of group identity, dignity and honour; and taking victims' interests into account.

Objectives, expectations and end-state

The way any negotiation process is organised depends on many variables, as identified above. However, the desired end-state of talks with different types of groups is likely to differ. Whereas violent armed groups with political objectives can often 'stay political' at the end of successful negotiations (by transitioning to a peaceful political party), criminal groups cannot 'stay criminal'. With violent criminal groups - and the VEO in Cabo Delgado - the end-state is harder to pin down, because their motivations are understood to be primarily fi-

nancial and socio-economic, leaving it unclear what they could transform into. Therefore, negotiation objectives with the VEO in Cabo Delgado may tend towards more piecemeal deals that have the potential to produce gradual change, rather than major agreements that lead to immediate transition. This might include, for example, the negotiated release of captives, or humanitarian access / safe passage, as part of a process that tends toward pragmatic and limited goals, not immediately transformational ones.

Other positive results from progressive negotiations might include:

- Freeing non-combatants accompanying VE, thus reducing the potential for further human rights abuses, especially when the threat of military operations looms.
- Partial success with some cells / sub-groups within the VEO choosing to accept negotiated terms.
- Preventing VEO from conducting collu-

sive negotiations with other parties, or developing strong alliances with nefarious groups, such as international terror groups to enable continued (or increased) violence and illegal activity. This is a key challenge in Cabo Delgado, in order to prevent the potential for Islamic State (IS) to directly influence / support the VEO.

What might the VEO want in return?

Understanding the expectations of any VEO is vital at an early stage in the negotiations process. Nevertheless, objectives and expectations will likely shift as negotiations progress, usually as a result of internal or external pressures, or tactical adjustments. However, some examples of what violent extremists in Cabo Delgado are likely to expect to attain from negotiations, from the outset,

are:

- A range of transitional justice initiatives, and particularly guarantees of amnesty and reconciliation (emphasising non-judicial processes and aids to community integration).
- Replacement income, through immediate employment, training and education opportunities.

Cultural and religious recognition.

An end to persecution, marginalisation and land-grabbing, and better public services for the communities from where they originated.

It is also notable the degree to which many armed groups actively foster a deep sense of emotional attachment and self-identification through origin stories, internal codes, symbols, rituals, emblems, traditions, and clothing. This is likely to be the case with the VEO in Cabo Delgado, along with shared ethnicity, blood ties, personal histories and geography, which are integral to group identity.

These factors have to be taken into account

when negotiating with a VEO. Organisational culture and identity are relevant considerations during any serious bargaining effort. Therefore, the strategic approach required of practitioners who seek to build confidence and reach viable results with a VEO is not so much about the choice of labels (whether the group is best described as a criminal or a terrorist group) as about how to leverage the VEO's mix of significant dynamics, with a financial motive being central. However, as identified, this is not the only criteria that needs to be considered.

How might negotiations begin in Cabo Delgado?

Negotiations between VEO and the government can be initiated by the group themselves or by the state. Often, however, an outside actor initiates them. In many international cases it is a well-intentioned third party, such

as a religious leader, an academic team, an NGO or even a police / security force officer. Women, often acting behind the scenes, are also influential in prompting negotiations - sometimes without any direct government

involvement. There are also cases in which a government appoints an agent to act on its behalf, or accepts a self-appointed negotiator or mediator, or even refrains from ente-

ring agent-principal relationships. In the latter case, government is regularly consulted and receives briefings from those mediating or directly negotiating.

Conclusion

If negotiations with the VEO in Cabo Delgado are well designed and managed they will be a vital tool for reducing violence and human rights abuses. Negotiations are likely to be even more productive when used as part of a comprehensive local and national strategy involving multiple, synchronised interventions that balance threats and incentives.

While negotiations that lead to major transformative settlements, and seek a complete

end to violence and participation in illegalities are possible and desirable with the VEO in Cabo Delgado, conditions are rarely auspicious enough. Nevertheless, negotiations with more limited goals, as described in this brief, can be worthwhile and deliver important benefits to local communities and the state, while serving as trust and confidence-building measures for broader transitions to lawful order.

Terminology

The term **negotiation** is undefined in international law. It is used here to refer to a process whereby two or more parties attempt to reach an amicable settlement or reduced intensity of their dispute or conflict, whether through direct talks or facilitated ones. Excluded from this definition is any process in which one side is a de facto victor, and able to dictate terms to the other.

The term **terrorism** is defined as the calculated use of unlawful violence or threat of unlawful violence to inculcate fear, intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. Terrorism is, in the broadest sense, the use of intentional violence to achieve political aims.

The term **violent criminal group** is used here as an abbreviation for violent organised crime groups, encompassing mafias, gangs, pirates, cartels and similar groups. Article 2a of the 2004 UN Convention against Transnational Organised Crime defines an "organized criminal group" as "... a structured group...existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit". On an exceptional basis, some of these groups may also be the subject of International Humanitarian Law (e.g., under Article 1 of Additional Protocol II to the Geneva Conventions).

Violent extremism is defined as the encouraging, condoning, justifying, or supporting the commission of violent acts to achieve a range of goals - or a combination of them - be they political, ideological, religious, social, or economic / financial. Violent extremism in Cabo Delgado reflects the extreme nature of the violence itself, in con-

trast to political and/or religious extremism.

The term **transitional justice** defines judicial and non-judicial measures implemented in order to redress legacies of human rights abuses. Transitional justice is enacted at a point of transition from violence to societal stability and it is informed by a society's desire to rebuild social trust, re-establish what is right from what is wrong, and build a functional and accepted system of governance. The core value of transitional justice is the very notion of justice—which does not necessarily mean criminal justice.



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