



# ALTERNATIVE DISPUTE RESOLUTION AND PEACE STUDIES IN AFRICA

Lessons, prospects and challenges



# **ALTERNATIVE DISPUTE RESOLUTION AND PEACE STUDIES IN AFRICA:**

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A report on the proceedings of the Fourth International Africa Peace and Conflict Resolution Conference held in Johannesburg, South Africa, on 25 and 26 July 2014, hosted by the African Centre for the Constructive Resolution of Disputes and the Center for African Peace and Conflict Resolution, California State University, Sacramento.



## **ACCORD**

The African Centre for the Constructive Resolution of Disputes (ACCORD) is a non-governmental organisation (NGO) working throughout Africa to bring creative solutions to the challenges posed by conflict on the continent. ACCORD's primary aim is to influence political developments by bringing conflict resolution, dialogue and institutional development to the forefront as alternatives to armed violence and protracted conflict.

## **CAPCR**

The Center for African Peace and Conflict Resolution (CAPCR) is based at California State University, Sacramento, United States of America (USA). The centre develops curricula/materials and provides training on mediation, negotiation, arbitration, and other conflict resolution services for government bodies and non-governmental organisations (NGOs), business and community groups, public and private agencies, educational institutions and allied professional associations in the USA and Africa.

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## Acronyms and abbreviations

ACCORD	African Centre for the Constructive Resolution of Disputes
ADR	Alternative Dispute Resolution
CAPCR	Center for African Peace and Conflict Resolution
CDRM	Customary Dispute Resolution Mechanism
ECPM	Edeh's Charity Peace Model
ICT	Information and Communication Technology
KTN	Kenya Television Network
NGO	Non-governmental Organisation
TAPS	Teen and Police Service
TRC	Truth and Reconciliation Commission
USA	United States of America

## Background and introduction

On 25 and 26 July 2014, the African Centre for the Constructive Resolution of Disputes (ACCORD), in partnership with the Center for African Peace and Conflict Resolution (CAPCR) at California State University, Sacramento, United States of America (USA), convened and co-hosted the Fourth International Africa Peace and Conflict Resolution Conference in Johannesburg, South Africa. The meeting followed from previous conferences held in 1998 and 2011 in Accra, Ghana, and 2008 in Addis Ababa, Ethiopia, and provided space for the further analysis and advancement of the theory and practice of alternative dispute resolution (ADR).

Specifically, within an African context, ADR has come to be increasingly understood as a potentially more efficient means of addressing various types of disputes that occur, with particular regard to feasibility and time-effectiveness, in contrast to court-based processes. Moreover, given that access to justice is a cornerstone of sustainable peace, ADR is a significant emerging avenue which African communities and states are considering to complement established litigation-based processes, and to infuse and bolster traditional justice systems.

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*Delegates at the Fourth International Africa Peace and Conflict Resolution Conference gather for a group photo.*

The 2014 conference was organised under the theme ‘Alternative dispute resolution and peace studies in Africa: Lessons, prospects and challenges’, and primarily sought to examine and discuss the current state of ADR through, inter alia, the practice of facilitated dialogue, mediation, negotiation and arbitration, as well as the efficacy and applicability of traditional African conflict resolution mechanisms within this paradigm.

Prior to the two-day conference ACCORD, in conjunction with CAPCR, submitted a call for academic papers which, upon receipt, were vetted in order to identify the substantive content and direction of conference presentations and discussions, and thereafter inform the agenda and thematic focus areas. Presenters, who shared both

academically-inclined and practitioner-oriented analyses and positions, were selected from a wide array of organisations and institutions across Africa, Europe and the USA.

## Day I

### Opening and welcome remarks

The conference was officially opened by ACCORD's Deputy Director, Mr Jerome Sachane, and the Founder and Executive Director of CAPCR, Professor Ernest Uwazie. Both speakers welcomed the participants and expressed their joint confidence that deliberations over the two days to follow would yield constructive outcomes for the advancement of ADR theory and practice in Africa, as well as fruitful discussions on the lessons, prospects and challenges surrounding peace studies in a broader context. It was noted that despite significant progress made in Africa in terms of peace, security and democracy in recent years, the latest conflict developments (in countries such as the Central African Republic, Egypt, Libya and South Sudan) compel scholars and practitioners alike to pause and re-examine their collective efforts in order to sustain this progress. Negative developments also include the proliferation of terrorist groups and activities, particularly across the continent's Sahel region, in Somalia and in Nigeria. Within this context, Prof. Uwazie emphasised that issues that specifically concern social justice, access to justice and transitional justice processes and mechanisms are of key concern to sustainable peace and development.

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*ACCORD's Mr Jerome Sachane (left) and the CAPCR's Prof. Ernest Uwazie (right) jointly preside over the opening session of the conference.*

The orators further pointed to the growing class divides that have increasingly come to characterise the structure and nature of developed and developing states – from local to international levels. Issues concerning access to, and the effectiveness of, justice were then juxtaposed against this backdrop to better contextualise the challenges faced by all states in terms of which most vulnerable groups of their societies often lack the necessary resources to seek out and claim their rights and recourse through mainstream court-based legal systems. The speakers concluded by alluding to the positive dimensions of ADR to better address such challenges and allow for more effective approaches to accessing and achieving justice, in pursuit of more sustainable and practical policies concerning peace and development.

## Keynote address

The opening and welcome remarks were followed by a keynote presentation by Advocate Dumisa Ntsebeza of Victoria Mxenge Group of Advocates, based in Johannesburg, South Africa, who reflected on his own experiences with transitional justice – most notably in his role as a South African Truth and Reconciliation Commission (TRC) commissioner. Adv. Ntsebeza underscored the relationship between access to justice and general levels of community development. He argued that this relationship is particularly evident within the broader African context, where the most pressing concerns relating to justice refer to those surrounding transitional justice. He posed the question of what, then, are the fundamental issues, variables and factors that are most relevant within this context, in the process implying that greater and more nuanced understanding of these issues would be significantly beneficial in accounting for many of the challenges faced by countries across Africa. In the same vein, he asked a number of key questions relating to the greatest concerns within the justice and development fields, by referring to considerations around the issue of impunity – and the implications of this *vis-à-vis* institutional development and the strengthening of democracy and the rule of law.

Moreover, he implored the audience to consider the different modes in which justice may be dispensed by looking beyond the established norms of retributive justice. Adv. Ntsebeza noted that within transitional states, truth, justice and reconciliation may at times be at odds with one another. He further argued that South Africa's own experiences with the TRC are proof of this somewhat contentious observation, and that transitional justice mechanisms – based on the scale and scope of their mandates – have to seek out innovative ways to incorporate certain elements of retributive justice while remaining fundamentally restorative in nature. Referring to the role and impact of Rwanda's *Gacaca* courts as a transitional justice mechanism, Adv. Ntsebeza underscored the fact that such processes must be tailored to and designed for the specific local- and national-level contexts that they intend to serve. This, he noted, was an inherent feature of the broader ADR paradigm. He also referred to the nexus between what has come to be referred to as traditional African conflict resolution practices within the broader rubric of ADR.



By looking beyond concerns surrounding transitional justice, Adv. Ntsebeza questioned whether traditional legal systems are responding adequately in executing their respective mandates and, if not, whether ADR practices are being sufficiently utilised to address some of these shortcomings. He noted that, generally, throughout the world, legal systems are burdened by a number of factors relating to significant backlogs and high costs, and proposed that there needs to be an unwavering commitment by all governments to conciliation-based approaches. In this light, he explained that it is increasingly understood that ADR is a critical pillar of good governance, given its impact on and role in complementing formal legal systems, particularly by enhancing access to justice in terms of cost and time. He also underscored the fact that there are considerable benefits which may be gained, particularly by African states, in terms of better utilising ADR in settling commercial disputes, given the relatively high costs of doing business in Africa and the fact that commercial courts in many states are often overburdened.

Adv. Ntsebeza concluded his speech by articulating the need to address certain misconceptions surrounding ADR, in order to better popularise and streamline practices. As an example, he highlighted the fact that mediation is fundamentally based on the idea that all decision-making powers stay solely within the ambit of the disputing parties, and that the mediator must, at all times, remain as an independent, impartial and trusted third party that simply guides the disputing parties to reach an agreement on their own terms. He emphasised that such processes are essentially voluntary in nature and that neither side should, at any point, feel that they are being served with a judgment.

## Scene-setting presentation

Prof. Uwazie facilitated the scene-setting presentation given by Prof. Jannie Malan, ACCORD Senior Researcher and Managing Editor of the *African Journal on Conflict Resolution*. Prof. Malan presented an overview of his paper entitled 'ADR deserves to be mainstreamed with impact and effect'. Key issues considered in this presentation were the reasons why ADR needed to be popularised and mainstreamed, with particular regard to the benefits of such practices, as opposed to standard or traditional legal dispute resolution and litigation approaches. These reasons included the:

- generally voluntary adherence to an ADR process by disputing parties
- varying degrees of greater control over the conflict resolution process by the disputing parties
- non-punitive and restorative emphasis that ADR entails
- less rigid, lower-cost and time-efficient aspects of ADR in relation to litigation.

Prof. Malan also pointed to the considerable discrepancy between the existing knowledge and literature on ADR practices and traditional court-based legal procedures as a telling sign that more must be done to better understand and popularise the former and mainstream it in a manner that complements the latter. In addition, he alluded to

the fact that ADR, when understood within the context of the prevalence of traditional conflict resolution practices, particularly within African contexts, must necessarily be 'updated and upgraded'. This should be done with a view to liberate it from abusive, arbitrary and patriarchal or retrogressive peculiarities of certain indigenous and local forms of conflict resolution. In this regard, Prof. Malan underscored the challenges of redesigning local and traditional forms of ADR so that they may be applied to broader contexts – whilst attempting to ensure that the effectiveness of such approaches is not diluted or problematised. Specifically, he urged the audience to more carefully consider issues surrounding the question of how African and local indigenous authenticity may be retained in ADR processes whilst seeking to define new, applicable hybrid solutions to conflicts as and when they arise.

In conclusion, Prof. Malan commented on what he referred to as the 'magic ingredient' of all effective conflict resolution efforts: the willingness of disputing parties to reach an agreement – especially when it seems impossible. He noted that ADR practices generally allow for disputing parties to build this willingness, as they come to reach an agreement on their own terms – something which is often lacking in court-based litigation practices. This, he concluded, makes ADR favourable in cases where broader issues such as social cohesion and reconciliation are concerned.

## **Session 1 – Interactive panel I: Lessons and challenges of revolutionary non-violence for 21<sup>st</sup> century African peace studies**

The first session following the scene-setting presentation was an interactive panel discussion facilitated by Mr Matt Meyer, Coordinator of the War Resisters International Africa Support Network, with the support of Mr Philani Ndebele, Campaign Manager at the ACTION Support Centre. The session, under the theme 'Lessons and challenges of revolutionary non-violence for 21<sup>st</sup> century African peace studies', sought to better understand specific lessons to be learned from both philosophically nonviolent approaches to conflict as well as tactically unarmed mass actions. In addition, the panel aimed to review recent literature on the effective use of unarmed action in reformist and revolutionary scenarios, as well as emerging research on the specific contributions of non-violence and peace education in the revolutionary processes of Burundi, South Africa and Mozambique. Moreover, they considered the growth and development of contemporary African peace studies and action relating to nonviolent social change – with particular regard to reports from recent War Resisters International and International Peace Research Association conferences.

Mr Meyer paid particular attention to the formation of unarmed grassroots movements, arguably opposed to violence at varying levels, or formations of convergence and divergence, as legitimate means of addressing conflict and insecurity. He contextualised these movements by referring to the growth and development of Gandhian thought, and the long-lasting legacy and impact of this philosophical tradition on peace studies

more broadly. In this regard, Mr Meyer emphasised his belief that too little time and attention is given to specific contributions of Gandhian teachings to peace studies – as scholars have generally overlooked this by focusing instead on the study of the man himself. He posited that there is clear, practical significance of these teachings in conflict resolution and social change – with specific emphasis on the role and impact of mass mobilisation and long-term strategic cost calculations.

Mr Meyer further opined that there have been failures in understanding many unarmed grassroots movements, particularly in Africa, and drew the audience's attention to the dearth of analysis of and literature on such movements, for example those in South Africa in the 1930s and 40s. He then argued that this failure of analysis has led to a number of unintended detrimental consequences for the field of peace studies, such as the general tendency of many scholars to mythologise South Africa's transition without fully analysing, comprehending and drawing inferences and conclusions from the much more complicated reality that prevailed in the country during that time. To this effect, he commented that South Africa's transition was not merely about winning hearts and minds, and alluded to the fact that, by attempting to further this simplified narrative, scholars may do considerable disservice to the field of peace studies. Despite this lack of analysis, however, it was noted that unarmed grassroots movements were indeed sowing seeds of hope across the continent – and that there is significant reason for optimism. Mr Meyer concluded his presentation by commenting on what he called the woeful inadequacies of the global peace apparatus, which did not sufficiently account for the fact that, based on its fundamental nature within the international system, no description of conflict can ever be truly neutral and no interpretation can be truly objective.

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*The conference provided a forum for participants to hear about and discuss the various applications of ADR through, among others, facilitated dialogue, mediation, negotiation and arbitration.*

Speaking after Mr Meyer, Mr Ndebele provided an overview of how best to build a continental culture of people-to-people solidarity, through the use of conflict transformation approaches. He particularly drew on examples of nonviolent, practical strategies implemented by, amongst others, the Zimbabwe Solidarity Forum, the Somali Solidarity Campaign, the Swaziland Democracy Campaign and local peace committees and infrastructures for peace, through the ACTION Support Centre. He argued that large parts of the continent are still caught up in an ongoing cycle of deep-rooted or protracted social conflict, and that transition processes that have sought to bring an end to violence at national and regional levels have often not been able to effectively contain the residual forms of tension that accompany political and economic periods of transition.

He highlighted the fact that several contexts across Africa continue to be characterised by residual conflicts and tensions associated with poorly managed transitional processes, including mismanaged demobilisation and integration programmes for former combatants, ineffective reconciliation efforts and the insensitive handling of transitional justice issues. Mr Ndebele further noted that recognising the fragility of state institutions and structures is central to understanding why so many mediated outcomes do not appear to be able to prevent communities and nations from slipping back into recurring cycles of violent crises. Post-colonial states have for the most part been unable to transform weak, ineffective and partisan social, economic, political and judicial systems inherited from a colonial era of domination. In some instances, systems designed to divide and rule have been adapted and used in post-colonial contexts for purposes of maintaining control.

He also drew attention to issues surrounding poverty, inequality and unemployment across the continent, and the impact of this, with particular regard to the continent's youth and their contributions to violence and conflict. Moreover, he noted that the democratisation agenda and the rapid introduction of polarising forms of multi-party politics into systems that are not prepared to manage the resulting competition also exacerbate levels of tension. The heightened politicisation of all spheres of society that accompanies polarised party politics is often compounded when the private sector is weak and the state dominates most forms of economic activity. Escalated tensions and conflicts related to economic control, as well as in the relationship between the state and organised labour, and within relations among the state, the private sector and industry also appear to be on the rise.

Wrapping up, Mr Ndebele expounded on the inherent weaknesses of electoral models in use on the continent, and how these are intimately related to flashpoints of violence around issues linked to ethnicity and control of scarce state resources. He concluded by noting that in response to these cycles of interconnected conflict dynamics, and the systems that they are part of, the ACTION Support Centre seeks to develop an integrated set of strategies that connect conflict transformation practitioners and the efforts of civil society formations at multiple levels. A shift in approach that speaks to solidarity, capacity building and the forging of collaborative partnerships appears to resonate well within this context.

## **Session 2 – Ethnicity, culture and identity toward effective alternative dispute resolution: Part I**

This plenary session, organised under the theme 'Ethnicity, culture and identity toward effective ADR' was facilitated by Prof. Uwazie. It began with a presentation by Mr Oyeniyi Abe, Law Lecturer at Afe Babalola University in Nigeria, entitled 'Traditional conflict resolution methods, ADR and Africa'. Mr Abe provided an overview of some of the most prominent cases dealing with the nexus between traditional African conflict resolution practices and ADR as it is understood broadly. Specifically, he focused on the historical development of conflict resolution practices in Nigeria, before broadening his focus to cover South Africa and Rwanda to advance understanding of the fundamental principles of conflict resolution and how they have manifested throughout the continent. He concluded by reflecting on the fact that the greatest inhibiting factor standing in the way of broader knowledge and acceptance of ADR – as opposed to litigation – in Africa can largely be attributed to the poorly or under-documented forms and practices of conflict resolution as they developed historically across the continent.

A presentation focusing on 'Identity construction among ethnic groups: Implications and challenges for peace studies', by Dr Comfort Ugbem, Lecturer of Sociology at Benue State University, also in Nigeria, followed. Dr Ugbem provided a comprehensive overview of the nature of identity construction – focusing specifically on North Central Nigeria as a case – and the implications of this *vis-à-vis* peace and security at local levels. Central to her paper was the argument that the history of many post-colonial states across Africa is replete with the construction and reconstruction of identities to contest, enforce, reinforce, create and manipulate boundaries and differences in order to access scarce economic state resources and associated rights and responsibilities. Against this backdrop, she contextualised the nature and centrality of violence and conflict within many post-colonial states by specifically examining how such identity construction has informed the broader socio-economic landscape of Benue State, Nigeria. She concluded that the recurrence of conflict in the state is fundamentally linked to the construction and reconstruction of identities, particularly along ethnic lines, which warrant greater study into alternative peacebuilding models for application in such contexts.

The subsequent presentation deviated from the previous studies in that it employed a quantitative, statistical approach to better understand and account for the influences that local rural village heads may have in enhancing conflict transformation and peacebuilding. The presentation by Mr Desmond Mwembe of the National University of Science and Technology in Bulawayo, Zimbabwe, was based on his study assessing the effectiveness of village heads in Simatelele ward, Binga District in resolving conflicts in Zingozo village, Zimbabwe. The study, which ran from April 2012 to June 2013, focused on sampling four local village heads and four types of conflict (common to all) using a simple random sampling technique. A mathematical model was then

developed to assign the village heads to cases they could resolve in order to improve their effectiveness. The principle behind this approach was to assign each village head to a single case to resolve so that the overall effectiveness of the village heads at community level would be maximised. Ten observations were made per village head per case. Mr Mwembe's study indicated that, on average, if village heads resolved conflicts without changing their current practices and behaviour they would be 69 per cent effective. This means, on average, that seven cases out of 10 were resolved. A collaborative approach, as suggested by the research, indicated that the effectiveness of the village heads in resolving conflicts would increase to 83 per cent – translating to approximately nine out of 10 cases being resolved. This 83 per cent effectiveness could be easily improved as the village heads would be dealing with the same types of cases and could come up with new ways of improving the conflict resolution strategies employed in those cases. Village heads would in turn specialise in resolving particular types of conflict and become more conversant with these forms and finally resolve all conflicts of that nature. In conclusion, Mr Mwembe recommended the collaborative approach as it led to an improvement in the effectiveness of village heads in resolving conflict in Zingozo village.

Mr Paul Oluwatosin Bello's presentation on the topic 'Indigenous conflict resolution mechanisms: Lessons drawn from Nigeria' focused on an overarching reflection on some of the more detrimental aspects of conflict resolution approaches that are not adequately tailored to account for local contexts prior to application. Mr Bello is a PhD candidate in the Department of Safety and Security at Tshwane University of Technology in Pretoria, South Africa. He argued that, given the recent upsurge in intra-state and inter-communal conflict across the continent, there is need to place greater focus on how best indigenous and traditional conflict resolution approaches may be adapted and streamlined into broader peacebuilding initiatives and practices.

The final presentation in this session was given by Mr Kalewongel Minale, from the Sant'Anna School of Advanced Studies at the University in Pisa, Italy. In this presentation, entitled 'Clan elders in state-building in Somaliland: Roles in reconciliation, conflict resolution and institution building', Mr Minale examined the particularly beneficial roles played by Somaliland clan elders in state-building and peace and security through the robust influence that they have had on conflict resolution in the semi-autonomous region of northern Somalia. Indeed, the relative stability and development of the region stood in stark contrast to the political and economic malaise that has characterised much of 'Somalia-proper' over the last few decades – an issue that Mr Minale attributed in no small part to the instrumental roles of the region's clan elders, which he further contextualised in terms of the significance of indigenous and traditional conflict resolution practices. On the basis of his in-country fieldwork, Mr Minale further argued that, notwithstanding the crucial influence of the elders, peace, stability, and legitimacy in Somaliland are outcomes of a convergence of pre- and post-war structural and conjectural factors, which he discussed and analysed prior to providing a set of recommendations going forward.

### **Session 3 – Women and conflict resolution in Africa: Lessons and opportunities**

The session on ‘Women and conflict resolution in Africa: Lessons and opportunities’ was facilitated by ACCORD Senior Researcher Mr Charles Nyuykonge. It provided space for four distinct, albeit interrelated, presentations that examined gender in relation to conflict resolution practices in Africa.

The first presentation, by Dr Gebreyesus Teklu Bahta, Post-Doctoral Fellow at the Institute for Dispute Resolution at the University of South Africa, focused on the discrimination of women in customary dispute resolution mechanisms in Ethiopia. Dr Bahta’s presentation drew from his study which sought to identify the role of women in traditional dispute resolution mechanisms practised by 19 ethnic groups in Ethiopia, and the consequences of these practices for women. In almost all practices, the roles of women in conflict resolution were found to be very limited and indirect. In all practices sampled, women were not represented as elders capable of resolving conflicts, and were only occasionally allowed to attend conciliatory forums if – and only if – their own cases were being discussed. Conflicts were also found to mostly be resolved at the expense of women’s economic and psychological wellbeing, as was the case for groups such as the Amhara, where women were given away into marriage from one feuding party to another. In cases of homicide, compensation given to a female victim’s family is generally half of that for a male victim, as happens in the Issa and Afar communities. Dr Bahta argued that most of the existing customary dispute resolution mechanisms (CDRMs) examined have objectified, dehumanised and marginalised women to varying degrees. His study subsequently concluded that the immediate commitment of concerned formal and informal institutions was to revise CDRMs so that they are free of such arbitrary discrimination against women.

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*Presenters and participants probed the efficacy and applicability of traditional African conflict resolution mechanisms in ADR during the event.*

The focus of discussions during this session was then narrowed to a dedicated assessment of the advancement of the women's rights discourse within the context of the crisis in northern Uganda. The presentation, delivered by Ms Joanita Rwebangira from the School of Political Science at the University of KwaZulu-Natal, South Africa, provided an in-depth analysis on the particular dynamics and nature of conflict in northern Uganda, whilst specifically tracing the effects that this has had on women in the region. She also examined how these factors have shaped and informed the evolution of positions on women's rights. The presentation provided the audience with an opportunity to critically look into many of the greatest concerns and issues that confront women in conflict and post-conflict contexts. Moreover, it gave a reason for an investigation into alternative forms of conflict resolution to mitigate – or circumvent completely – the devastating consequences of conflict on women which, as highlighted by experiences in northern Uganda, include a host of atrocities such as abduction, sexual abuse, trafficking and lack of access to all but the crudest health, social and educational services.

In her turn, Dr Elizabeth Sugh of Benue State University, Nigeria, gave a presentation aimed at supporting broader understanding and examination of the critical roles of and contributions by women to mediation and conflict resolution in Africa. She argued that despite the notable involvement of women in numerous mediation and conflict resolution processes in previous years, women's roles remain largely undervalued and generally unrecognised. Dr Sugh examined the roles of women in Somalia and Kenya to expose and better understand the various strategies employed by women in these countries toward the advancement of peace through participation in mediation and conflict resolution. One of the key findings was the use of poetry and 'spitting' initiatives, which are important approaches by these women to effectively mediate and return their communities back to a state of peace. The major gaps identified in the strategies used, however, were the non-inclusion of women's needs in broader peace processes, and inadequate lobbying by women in the implementation of treaties that directly affect them. The presenter concluded by recommending that aggressive sensitisation at all levels, and training of more women mediators and negotiators could help to strengthen women's involvement in local, national, regional and international mediation and conflict resolution processes.

The last presentation of the day was given by Ms Victoria Maloka, Senior Associate at the Centre for Mediation in Africa based at the University of Pretoria, South Africa. Ms Maloka's presentation entitled 'Nothing about women, without women: Institutionalising the participation of women in mediation and peacebuilding processes in Africa', specifically highlighted the many factors which impede the equal, full and effective participation of women in the prevention, management and resolution of conflicts in Africa. She detailed these barriers to inclusion, which characterise the nature of certain traditional and patriarchal belief systems and practices, as well as the general failure of conflict analysis processes to adequately acknowledge women's issues as 'real', by reflecting on a range of academic studies that focused specifically on women



and peacebuilding in Africa. To address these issues and reinforce the agency of women in mediation and peacebuilding, Ms Maloka recommended that there should be greater focus on the institutionalisation of women's perspectives of conflict, acknowledgement of their sensitivities, better understanding of the underlying gender inequalities fuelling conflicts, and appreciation of the unique positions and roles of women as strategic game-changers in bringing lasting peace to the continent.

## Day II

### **Session 4 – Interactive panel II – alternative dispute resolution and peace studies in Africa: Opportunities and challenges**

The second day of the conference opened with an interactive panel discussion on the general theme of 'ADR and peace studies in Africa: Opportunities and challenges' which was facilitated by Prof. Uwazie.

Mr Vasu Gounden, the Founder and Executive Director of ACCORD, gave the opening presentation, in which he reflected on the current state of ADR by outlining three general categories in which the field of dispute resolution has evolved. The first is political conflicts which can, as a matter of principle, be addressed through litigation, but based on their very nature – in terms of their broad and far-reaching impact and consequences – better lend themselves to mediation-based conflict resolution practices, which can more effectively account for the deep-seated, systemic and structural issues that characterise such conflicts. The second refers to the types of disputes for which litigation seems appropriate but which can, in fact, be resolved through mediation given their relatively minor nature. Domestic disputes are indicative of this second category and speak to the attractiveness of ADR in terms of its cost-effectiveness and the relatively little red-tape involved, as opposed to settling these disputes in court. The third category highlighted refers to issues and concerns which may be understood as 'common cause' – a general composite of issues that collectively affect broad segments of society to the extent that many such issues are inherently transnational in nature. Concerns surrounding climate change, for example, fit well within this category and highlight the critical role that ADR can play, specifically at international level where there is a general void of effective litigation processes or where international law lacks enforceability and the power to bring about quick and effective behavioural change amongst a multitude of different actors.



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*Mr Vasu Gounden, ACCORD Founder and Executive Director, gave a presentation on his practical experiences in conflict management.*

Mr Gounden reflected on his own experiences in the field of conflict management, specifically bringing attention to the dramatic changes that occurred within the international system following the collapse of the Soviet Union. In the post-Cold War period, he noted, there was a dramatic increase in intra-state conflict, coupled with the rise of non-state actors. The implications of this in terms of international laws, normative frameworks and holding perpetrators of international crimes and human rights violations accountable has been especially concerning, given the ability of non-state actors to easily and flagrantly ignore and circumvent international legal mechanisms. Thus, the role of mediation within the rubric of ADR became essential to addressing these challenges and confronting the world's collective concerns surrounding peace and security in constructive, peaceful and sustainable ways. Mr Gounden concluded by noting that the field of ADR is constantly evolving to best meet the demands of a dynamic and shifting international system, and underscored the fact that the practice of mediation is now widely accepted within the realm of political conflict management.

Prof. Uwazie applauded the growth of ADR and peace studies in Africa, explaining that almost 20 countries have ADR legislations and over 30 universities boast of peace studies programmes or curricula. He emphasised that it is important to continue assessing best practices in ADR and the teaching of peace studies, with the objective of promoting a culture of peace. He reflected on his 20 years of experience with ADR in Africa, expressing ample appreciation of the contributions of ADR in the increasing democratisation and stability of African countries, especially during this and the last decade. He also reminded participants that citizen satisfaction is a critical issue which

must always be kept in mind when trying to understand and further the development of ADR as a field of study and practice. The speaker further underscored the need to remove time and bureaucratic burdens placed on traditional court systems by popularising the practice of out-of-court approaches to conflict resolution. He also noted that whereas there is still a degree of resistance to ADR by the traditional legal community (for commercial reasons), this is gradually changing toward a more mutually beneficial relationship – where both ADR practitioners and lawyers better understand their respective roles, specifically in terms of how to best dispense justice and maximise the benefits to society in the broadest possible ways. He explained that it is necessary to carefully consider the integration of ADR or conflict resolution approaches into emerging or new leadership and social development initiatives, as well as into issues of elections, human rights, environmental justice, youth development, and restorative justice. Lastly, Prof. Uwazie posited that quality assurance should receive greater attention from the legal and ADR community moving forward – especially in light of the growing popularisation of ADR and the potential need for certified, professional ADR practitioners who would operate within properly regulated guidelines and frameworks laid out by a mandated oversight authority. He concluded by proposing the development or research of case studies on best practices of ADR and peace studies curricula across Africa, to inform practice, guide policy, draw lessons and assess results and progress.

The concluding presentation of the session was made by Ms Ellen Taylor, Associate Director at California Lawyers for the Arts and Director of the Sacramento Mediation Centre in the USA. Ms Taylor provided an overview of the work of her organisation which, in recent times, has aimed to expand its conflict resolution initiative to the greater county area in which it is based. She noted that a considerable amount of time is spent on labour disputes as well as on facilitating discussions on issues as broad as climate change, while looking at how the arts can better inform and educate people on many of these critical issues. Ms Taylor explained that she developed conflict resolution curricula for integration into the syllabi of local schools, which had subsequently been implemented through a pilot project that led to the training of a number of youth mediators. This initiative, she added, emanated from her participation in the 2011 ADR conference held in Accra, Ghana. To this effect, she noted that one of her broad goals was to contribute to the development of initiatives aimed at bringing conflict resolution skills to all school-age children throughout the US. Ms Taylor further argued that leadership development could be significantly enhanced where there is sufficient will to develop and impart conflict resolution skills from elementary school level upwards. This, in turn, could lead to the development of considerable numbers of peer mediators, which – based on the findings of her pilot programme – could greatly improve learner environments. She concluded her presentation by playing a short video of a new school peer mediation programme that outlined and contextualised the work of her organisation.

## **Session 5 – Ethnicity, culture and identity toward effective alternative dispute resolution: Part II**

This session was convened under the theme 'Ethnicity, culture and identity toward effective ADR' and facilitated by Mr Nyuykonge. The first presentation, by Ms Ellah T.M. Siang'andu, Lecturer of Law at the University of Zambia, focused on negotiation under customary law and was entitled 'A case for enhancing the legitimacy, status and role of negotiation as an alternative dispute resolution strategy in Zambia'. Ms Siang'andu argued that historically, dispute resolution in Zambia was based on the customary laws of various ethnic groups, which implied that approaches such as negotiation, mediation and arbitration have – to varying degrees – always been employed throughout the country. She also noted that in recent times, the Zambian legal system has witnessed increases in the use of ADR methods. Factors that have led to improved use of ADR include advances in laws on arbitration and the introduction of court-annexed mediation. So far, she noted, arbitration and mediation have significantly contributed to the reduction of backlogs of cases in the country's courts. This has also led to better familiarity of legal practitioners with ADR principles, which are increasingly being integrated into university curricula. Ms Siang'andu shared an in-depth overview of her paper, which addressed the law surrounding mediation and arbitration in Zambia as well as the manner in which negotiation has been adopted as an approach in ADR processes in the country. She concluded by noting that the law on these issues remains largely undeveloped, and has consequently hindered the development of negotiation as an ADR mechanism in Zambia.

A presentation which focused on ethno-religious conflicts in the Kaduna metropolis was made by Mr James Akpokos Amos, Lecturer in the Department of Sociology at Kaduna State University, Nigeria. By analysing data from secondary sources, documentary research and in-depth interviews, he examined the various strategies that the Kaduna State government and other relevant stakeholders have adopted to stem the tide of ethno-religious conflicts in the region. His study found that transparency and fairness in the conduct of government affairs, the creation of job opportunities, the establishment of additional traditional institutions, the promotion of inter-ethnic dialogue and consultations, and the formation of a state committee for inter-religious affairs, among others, have significantly contributed to the management of ethno-religious conflict in the state. He suggested that the introduction of peace education, economic empowerment and the involvement of women in conflict resolution processes would help in the management of these conflicts by addressing the core issues presented above.

Prof. Chuks Emmanuel Ezedum, Vice-Chancellor of Madonna University in Nigeria, presented his paper entitled 'Efficacy of Edeh's Charity Peace Model (ECPM) among Nigerians'. He presented an overview of the ECPM, which is rooted in Edeh's African philosophy of being that builds on the relational qualities between all human beings and God, who, as argued by Prof. Ezedum, can essentially be placed before disputants by a

mediator who would in turn take them through a process of reconciliation. Through this study, Prof. Ezedum sought firstly to ascertain the perceived efficacy of the ECPM among Nigerians, and secondly to establish its potential for universal application. The study used a combination of key informant interviews and focus group discussions to collect data from a sample of beneficiaries of the model. Prof. Ezedum noted that, among others, the findings indicated that the model was perceived as efficacious in restoring a pre-conflict state of peace and was effective in resolving various types of conflicts.

The fourth presentation in this session was made by Ms Winnie Bedigen, PhD candidate at the University of Leeds, United Kingdom, who presented a paper entitled 'Youth and conflict resolution among the Lwoo ethnic communities of East Africa'. She argued that while it is generally assumed that youth are inexperienced and passive observers in most traditional African conflict resolution processes, research findings from interviews with the Nilotic and Lwoo communities in East Africa and the diaspora show that they are a valuable asset for peace, harmony and conciliation. Using narrative inquiry and thematic analysis, Ms Bedigen examined the role of youth in Monyomiji, an indigenous governance system that can be utilised in conflict prevention, peacemaking and peacebuilding in South Sudan; specifically through ensuring security, political stability and socio-economic development. She sought to demonstrate how the traditional roles of youth in Nilotic and/or Lwoo culture, which encompass Nilotic communities in South Sudan and East Africa more broadly, can be harnessed to resolve contemporary conflicts and to achieve peaceful communities.

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*Ms Winnie Bedigen explained that among the Nilotic and Lwoo communities in East Africa, youth are key actors in conflict management and reconciliation.*

The concluding presentation of the session, by Dr Fredrick Ogenga of Rongo University College, Kenya, focused on experimental peace journalism as covered by the Kenya Television Network (KTN), also known as The Voice of Kenya, during the country's 2013 general elections. He explained that the KTN Diaspora Voices programme was a deliberate attempt to experiment with peace journalism due to the sensitive nature of the elections in that year, held under the country's new constitution. Even though KTN, like other mainstream television networks, became more of a peace evangelist than a watchdog, the former role laid the much needed foundation for experimenting with an alternative form of journalism that is necessary in Africa, but which remains to be better institutionalised. In this study, Dr Ogenga employed a critical political economy theory of the media, agenda-setting theory and concepts derived from peace journalism to analyse peace discourses in diaspora voices and how these framed KTN's general news coverage of the vote. He concluded that the 2013 polls provided reporters with an important platform and raw materials for reconstructing journalistic ideological fractures, as far as Africa is concerned, as a result of a prolonged and sustained tradition of chaotic, sensational, superficial, violent and caricatured reporting brought about by the commercialisation and Westernisation of media institutions.

## **Session 6 – Comparative/international alternative dispute resolution lessons and best practices**

The following session, organised under the theme 'Comparative international ADR lessons and best practices', was facilitated by Ms Betsy Kimball, Attorney at Kimball and Wilson, LLP in Sacramento, California, USA. Mr Daniel Yamshon, Arbitrator and Mediator, Attorney at Law, and Adjunct Professor at the University of the Pacific McGeorge School of Law, Sacramento, gave the first presentation. His presentation, entitled 'Court-annexed ADR: International best practices and their implications for Africa', specifically highlighted certain contestations and questions which remain as a result of the often contradictory relationship between ADR and formal justice processes *vis-à-vis* court-annexed ADR approaches. Mr Yamshon particularly questioned whether the advantageous attributes of ADR are lost or retained when such practices become more greatly institutionalised, as well as if the Hegelian dialectic of combining the alternative with an existing formal system results in a synthesis that fundamentally alters that alternative. He also contemplated whether the integration of some of the formalities of the established judicial system into court-annexed ADR diminishes its overall effectiveness and, if so, to what extent?



*The conference provided an important opportunity for participants from Africa, Europe and the US to network and learn from each other's ADR experiences.*

Following this, Ms Ijeoma Ononogbu, a solicitor from the United Kingdom, presented her paper which focused on online dispute resolution as a distinct form of ADR and was on evolving frontiers in dispute resolution. During her speech, she referenced the rapid growth of information and communication technology (ICT) infrastructure on the African continent, and the subsequent opportunities that this presents for the expansion of ADR to be administered remotely online. She contextualised this argument by providing a broad overview of several key cases in which ICT has transformed certain other sectors across Africa – with banking and e-commerce being notable examples – to underscore the potential of ICT in transforming and popularising ADR.

Dr Lisa Mächa Saye, President of the Association for Third World Studies, based in the USA, presented a paper on 'Intersectional dispute resolution: The need for more accurate mechanisms toward peace'. Dr Saye questioned the influence of external actors in the creation and implementation of policies concerning peacekeeping initiatives across the world. She argued that more often than not, specific rhetoric within such policies leans greatly toward the external interests of the drafters. Dr Saye drew upon David Reisman's (1964) 'other directed' notion which emphasises the interplay of weak subordinates and the idea of collective strength, Nadler-Tushman's congruence model, Saye's flexible-crystallisation theory of policy analysis, and the epigenesis process of the development of new characteristics from Etzioni, which is an indirect expansion of Burke's cumulative and conjunctive influence notions. Dr Saye also considered the efforts of the Economic Community of West African States toward peace options within its member states. She posited that new steps must

be taken, which include a revision of collaborative approaches, and the application of conflict resolution policy toward concepts associated with bonding activities. Finally, an Emergent Environment Model was proposed as a mechanism for assisting in lasting and sustainable conflict resolution.

The concluding presentation of this session was made by Dr Pascal da Rocha, Lecturer at Colombia University, USA, who provided an overview of his paper entitled 'Resilience and conflict prevention in the context of extractive industries'. His presentation specifically explored the link between conflict and natural resources, as well as conflict prevention broadly, within the political economies that surround extractive industries in Africa. He argued that extractive industries need to develop good relationships with communities and establish culturally appropriate engagement processes that enable equity, equality, inclusion, empowerment, informed participation, consent, and participatory decision-making processes. The focus, he argued, needs to be on the recognition that local communities and indigenous groups have to engage with extractive industries and that joint development will prove to be beneficial to both. At the same time, the government needs to enhance its governance structures and systems to allow communities to address grievances and complaints in such a way that the national structures involved can respond adequately to them, particularly when personnel and environmental costs supersede the economic benefits of extractive business processes. Dr da Rocha concluded by noting that extraction, investment and development within this context need to adequately prevent, reduce and resolve any compromising impacts on traditional values, livelihoods and sacred places, whilst improving the social contract, economic empowerment, education and participation of citizens in the governance of extractive resources.

## **Session 7 – Alternative dispute resolution and education**

The final interactive session of the conference, on the theme 'ADR and education', was facilitated by Prof. Malan and included three presentations which broadly reflected on the interplay between conflict resolution and education in school curricula, as well as peace education initiatives implemented by civil society actors. The first presentation, by Ms Lidwine Clerc, a PhD candidate in Political Science at Grenoble University, France, was titled 'Sowing the seeds of peace in the next generation: Peace education in Kenya'. She provided a broad overview of the political and security situation in Kenya, drawing attention to the nature and far-reaching consequences of the nation's 2007/08 post-election violence to provide sufficient justification for the planning and implementation of a peace education programme that particularly targets the country's youth.

Dr Mike McMullen, Associate Professor at the University of Houston, Clear Lake, USA, followed with a discussion on the results of a survey of peer mediation and ADR in public schools, with comparisons drawn across the US and South Africa. Dr McMullen provided a case for better implementation of peer mediation and ADR practices within public schools to address issues primarily related to growing school violence and bullying, by assessing and critiquing the efficacy of traditional disciplinary



approaches. He further drew attention to a host of other key factors in his consideration of ways to effectively shift school-based conflict resolution approaches from punitive disciplinary measures, through consciousness-raising approaches, to more innovative skills-based ADR approaches.

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*The Teen and Police Service Academy in Texas, USA, offers ADR services to bridge gaps between youth and law enforcement agents in the state and beyond.*

The final presentation of the session was given by Dr Everette B. Penn, Director of the Teen and Police Service (TAPS) Academy in Texas, USA, who provided an overview of the work of his organisation which served as an effective case study of longer-term forms of ADR that specifically engage with and address youth-related issues. Dr Penn noted in particular, the goal of the TAPS Academy to reduce the social distance between at-risk youth and law enforcement. This goal is being accomplished through learning, interaction and discussions between at-risk youth and the law enforcement personnel that serve their communities. Through this programme, TAPS students and law enforcement officers gain valuable insights about each other and the issues they face on a daily basis.

## Closing session and conference communiqué

The conference was concluded by Prof. Uwazie and Mr Sachane, who gave closing remarks and thanked participants for their attendance, active engagement and insightful presentations dealing with the advancement of the theory and practice of ADR. Based on the presentations made and the discussions shared, Ms Ijeoma Ononogbu and Mr Priyal Singh developed a draft conference communiqué over the course of the two days. This was presented to participants for their initial feedback and approval during

the closing session. Over the two weeks that followed the conference, the organisers liaised with participants via e-mail to finalise the communiqué – which serves as the basis for the development of an agenda for the Fifth International Africa Peace and Conflict Resolution Conference. The communiqué was subsequently finalised and published online.

## Conclusion

Based on many indicators, the Fourth International Africa Peace and Conflict Resolution Conference on the theme ‘Alternative dispute resolution and peace studies in Africa: Lessons, prospects and challenges’ was a success. It:

- helped create and increase knowledge on ADR and peace studies
- provided insights on critical areas of research and practice of peace and conflict resolution
- highlighted the interconnections between peace and social justice in the practice and development of conflict resolution programmes and policies
- identified key gaps for more inquiry and adaptability of ADR and traditional African dispute resolution systems
- yielded useful lessons for reflection and innovation in the field of ADR and peace studies
- produced renewed energy for the promotion and positive institutionalisation of ADR.

The discussions successfully brought sharp focus on the role or staying power of traditional (non-court-based) dispute resolution systems in modern Africa, as well as the salient role of women in conflict resolution. Finally, the meeting facilitated regional and international networking on ADR, for the particular benefit of practitioners, scholars and policymakers.

In sum, the overall long-term aim of the peace and conflict resolution gatherings in Africa will be achieved via continuous engagement across disciplines and boundaries at local, national, regional and international levels, and through the synergistic interactions of scholars and practitioners, as well as stakeholder buy-in. The quest for what works in ADR and peace studies remains ceaseless and critical, impacting the health of families, the peace of communities, prosperity of nations, and stability of societies. Inquiry into African dispute resolution dynamics, both old and emerging, will continue as the organisers anticipate and plan the fifth conference to be held in 2017.

## Annex I: Conference programme

Conference venue: Protea Hotel Balalaika, Sandton, Johannesburg, South Africa

### Day 1 – Friday 25 July 2014

Time	Session	Speakers
08:30–09:00	<b>Registration</b>	
09:00–09:15	<b>Opening and welcome remarks</b> <i>Facilitated by Mr Charles Nyuykonge</i>	<i>Mr Jerome Sachane, Deputy Director, ACCORD</i> <i>Prof. Ernest Uwazie, Founder and Executive Director, CAPCR-CSU-Sacramento</i>
09:15–09:45	<b>Keynote address</b> <i>Chair: Mr Jerome Sachane</i>	<i>Mr Dumisa Ntsebeza, Political Activist and Advocate, Victoria Mxenge Group of Advocates, South Africa</i>
09:45–11:00	<b>Interactive session</b> <i>Facilitated by Mr Jerome Sachane</i>	<i>Mr Dumisa Ntsebeza, Political Activist and Advocate, Victoria Mxenge Group of Advocates, South Africa</i>
11:00–11:15	<b>Health break and group photo</b>	
11:15–11:45	<b>Scene-setting presentation</b> <i>Facilitated by Prof. Ernest Uwazie</i>	ADR deserves to be mainstreamed with impact and effect <i>Prof. Jannie Malan, Managing Editor, African Journal on Conflict Resolution, ACCORD</i>
11:45–13:00	<b>Session 1:</b> Interactive panel I – Lessons and challenges of revolutionary non-violence for 21 <sup>st</sup> century African peace studies <i>Facilitated by Mr Matt Meyer</i>	<i>Mr Matt Meyer, Coordinator, War Resisters International Africa Support Network</i> <i>Mr Philani Ndebele, Campaign Manager, ACTION Support Centre</i> Though the inter-disciplinary fields of conflict and dispute resolution, and related peace research endeavours, have paid lip service to the contributions of both philosophically nonviolent approaches and tactically unarmed mass actions, the explicit lessons to be drawn from such approaches remain largely uncharted. In addition, the

		<p>collection of evidence of effective uses of non-violence in studies of revolutionary processes of structural change remains – at best – at an infantile stage. Seeking to rectify these omissions, this panel will review: the current and recent literature on the effective uses of unarmed action in reformist as well as revolutionary scenarios; emerging research on the special contributions of non-violence and peace education in the revolutionary processes of Burundi, Mozambique, South Africa and other parts of the African continent; and the contemporary intensification of African peace studies and action relating to nonviolent social change (especially reporting from recent War Resisters International and International Peace Research Association conferences).</p>
13:00–14:00	<b>Lunch</b>	
14:00–15:45	<p><b>Session 2:</b> Ethnicity, culture and identity toward effective ADR (PART I) <i>Facilitated by Prof. Ernest Uwazie</i></p>	<ol style="list-style-type: none"> <li>1. Traditional conflict resolution methods, ADR and Africa <i>Mr Oyeniyi Abe, Lecturer in Law, Afe Babalola University, Nigeria</i></li> <li>2. Identity construction among ethnic groups in North Central Nigeria: Implications and challenges for peace studies <i>Dr Comfort Ugbem, Lecturer, Department of Sociology, Benue State University, Nigeria</i></li> <li>3. Scheduling village heads in enhancing conflict transformation and peace building in a rural community <i>Mr Desmond Mwembe, Lecturer, National University of Science and Technology, Department of Statistics and Operations Research, Zimbabwe</i></li> </ol>

		<p>4. Indigenous conflict resolution mechanisms In Africa: Lessons drawn for Nigeria <i>Mr Paul Oluwatosin Bello, PhD candidate, Department of Safety and Security Management, Tshwane University of Technology, South Africa</i></p> <p>5. Clan elders in state building in Somaliland: Roles in reconciliation, conflict resolution and institutional building <i>Mr Kalewongel Minale, PhD candidate, Sant'Anna – School of Advanced Studies, University of Pisa, Italy</i></p>
15:45–16:00	<b>Health break</b>	
16:00–17:30	<p><b>Session 3:</b> Women and conflict resolution in Africa: Lessons and opportunities <i>Facilitated by Mr Charles Nyuykonge</i></p>	<p>1. Female discrimination in customary dispute resolution mechanisms in Ethiopia <i>Dr Gebreyesus Teklu Bahta, Post-Doctoral Fellow, Institute for Dispute Resolution in Africa, University of South Africa, South Africa</i></p> <p>2. Advancing women rights discourse in conflict regions: A case study of the Northern Uganda crisis <i>Ms Joanita Rwebangira, PhD candidate, School of Political Science, University of KwaZulu-Natal, South Africa</i></p> <p>3. Women in mediation and conflict resolutions: Lessons, challenges, and prospects for Africa <i>Dr Elizabeth Sugh, Lecturer, Benue State University, Nigeria</i></p> <p>4. Nothing about women, without women: Institutionalising the participation of women in mediation and peacebuilding processes in Africa <i>Ms Victoria Maloka, Senior Associate, Centre for Mediation in Africa, University of Pretoria, South Africa</i></p>
	End of Day 1	Evening at leisure

**Day 2 – Saturday 26 July 2014**

<b>Time</b>	<b>Session</b>	<b>Speakers</b>
08:30–09:00	<b>Registration</b>	
09:00–10:30	<p><b>Session 4:</b> Interactive panel II – ADR and peace studies in Africa: Opportunities and challenges <i>Facilitated by Prof. Ernest Uwazie</i></p>	<p><i>Mr Vasu Gounden, Founder and Executive Director, ACCORD</i></p> <p><i>Ms Ellen Taylor, Associate Director, California Lawyers for the Arts; Director, Sacramento Mediation Center</i></p> <p><i>Prof. Ernest Uwazie</i></p> <p>This session attempts to stimulate some policy, research, and programmatic exchanges with participants on critical issues of the conference theme of ‘ADR and Peace Studies in Africa’. The lead discussants, as well as participants, will provide their input on the current state of ADR and peace studies, including key lessons, challenges and vision, based on their leadership experiences and expertise of conflict resolution in Africa, e.g. issues of access to justice, judicial reform, transitional justice, peace education and curriculum development, electoral dispute management, leadership development and governance, etc. The session will also feature some international perspectives from the specialised ADR programme of the California Lawyers for the Arts, with lessons for emerging issues in Africa about artist copyrights and intellectual property. The distinguished panel will reflect on the opportunities for advancing ADR and peace studies.</p>
10:30–10:45	<b>Health break</b>	

<p>10:45–12:30</p>	<p><b>Session 5:</b>          Ethnicity, culture and identity toward effective ADR (PART II)  <i>Facilitated by Mr Charles Nyuykonge</i></p>	<ol style="list-style-type: none"> <li>1. Negotiation under customary law: A case for enhancing the legitimacy, status and role of negotiation as an alternative dispute resolution in Zambia  <i>Ms Ellah T.M. Siang'andu, Lecturer in Law, University of Zambia, Zambia</i></li> <li>2. Ethno-religious conflicts in Kaduna Metropolis and environs: A rethink of the socio-economic effects and proposals for effective management  <i>Mr James Akpokos Amos, Lecturer, Department of Sociology, Kaduna State University, Nigeria</i></li> <li>3. Efficacy of Edeh's Charity Peace Model (ECPM) among Nigerians  <i>Prof. Chuks Emmanuel Ezedum, Vice-Chancellor, Madonna University, Nigeria</i></li> <li>4. Youth and conflict resolution among the Lwoo ethnic communities of East Africa  <i>Ms Winnie Bedigen, PhD candidate, Leeds Metropolitan University, UK</i></li> <li>5. Experimenting peace journalism on Kenya Television Network's Diaspora Voice in the 2013 elections  <i>Dr Fredrick Ogenga, Head, Communication, Media and Journalism Department, Rongo University College, Kenya</i></li> </ol>
<p>12:30–13:30</p>	<p><b>Lunch</b></p>	
<p>13:30–15:00</p>	<p><b>Session 6:</b>          Comparative/international ADR lessons and best practices  <i>Facilitated by Ms Betsy Kimball</i></p>	<ol style="list-style-type: none"> <li>1. Court-annexed ADR: International best practices and their implications for Africa  <i>Daniel Yamshon, Arbitrator &amp; Mediator, Attorney at law; Professor, University of the Pacific McGeorge School of Law, USA</i></li> <li>2. Online dispute resolution (ODR) as a form of alternative dispute resolution: Evolving frontiers in dispute resolution  <i>Ijeoma Ononogbu, Solicitor, England &amp; Wales, United Kingdom</i></li> </ol>

		<p>3. Intersectional dispute resolution: The need for more accurate mechanisms toward peace <i>Dr Lisa Mächa Saye, President, The Association of Third World Studies (ATWS), USA</i></p> <p>4. Resilience and conflict prevention in the context of extractive Industries <i>Dr Pascal da Rocha, Lecturer, Columbia University, USA</i></p>
15:00–15:15	<b>Health break</b>	
15:15–16:45	<p><b>Session 7:</b> ADR and education <i>Facilitated by Prof. Jannie Malan</i></p>	<p>1. Sowing the seeds of peace in the next generation: Peace education in Kenya <i>Ms Lidwine Clerc, PhD candidate in Political Science, Grenoble University, France</i></p> <p>2. A survey of peer mediation and alternative dispute resolution in public schools: Comparisons between the United States and South Africa <i>Dr Mike McMullen, Associate Professor, Department of Sociology and Cross Cultural Studies, University of Houston-Clear Lake, USA</i></p> <p>3. Reducing conflict between youth and law enforcement: The Teen And Police Service (TAPS) Academy model and results <i>Dr Everette B. Penn, Director of the Teen And Police Service Academy, USA</i></p>
16:45–17:45	<b>Closing/ conference communiqué</b>	<i>Mr Jerome Sachane and Prof. Ernest Uwazie</i>
17:45–19:00	Free time	
19:00–21:00	<b>Gala Dinner</b>	Venue: Protea Hotel, Balalaika, Sandton
	End of conference	



## Annex II: List of participants

Name	Affiliation
Oyeniya Abe	Lecturer in Law, Afe Babalola University, Nigeria
Sabrina Ali	Student, California State University Sacramento, USA
James Akpokos Amos	Lecturer, Department of Sociology, Kaduna State University, Nigeria
Dr Gebreyesus Teklu Bahta	Post-Doctoral Fellow, Institute for Dispute Resolution in Africa, University of South Africa, South Africa
Patrick Baleka	Coordinator, ANC Sub-committee on International Relations, South Africa
Winnie Bedigen	PhD candidate, Leeds Metropolitan University, UK
Paul Oluwatosin Bello	PhD candidate, Department of Safety & Security Management, Tshwane University of Technology, South Africa
Elena Bennett	Teacher, Country Day Secondary School, Sacramento, California, USA
Micaela Bennett-Smith	High School Student, Country Day Secondary School, Sacramento, California, USA
Lidwine Clerc	PhD candidate in Political Science, Grenoble University, France
Dr Jose Pascal da Rocha	Lecturer, Columbia University, USA
Annie DuPre	Research Assistant United Nations Association of South Africa
Sabrina Ensenbach	Coordinator, Knowledge Production Department, ACCORD, South Africa
Prof. Chuks Emmanuel Ezedum	Vice-Chancellor, Madonna University, Okija, Anambra State, Nigeria
Ogoma Gloria Ezedum	Okija, Anambra State, Nigeria
Prof. John Faris	Professor, Institute for Dispute Resolution in Africa, University of South Africa
Christophher Goethert	First Secretary, US Embassy, Pretoria, South Africa

Vasu Gounden	Founder and Executive Director, ACCORD, South Africa
Kimberly Jackson	Africa Dispute Resolution (ADR), South Africa
Makhudu Kganakga	Member, ANC IRC Gauteng, South Africa
Betsy Kimball	Attorney, Kimball & Wilson, LLP; Sacramento, USA
Prof. Jannie Malan	Managing Editor, African Journal on Conflict Resolution, ACCORD, South Africa
Peter Malek	Literacy and Education Specialist, SIL International, South Sudan
Victoria Maloka	Senior Associate, Centre for Mediation in Africa, University of Pretoria, South Africa
Mpho Masienyane	Southern Africa School Mediation Initiative, South Africa
Dr Mike McMullen	Associate Professor, Department of Sociology and Cross Cultural Studies, University of Houston-Clear Lake, USA
Matt Meyer	Coordinator, War Resisters International Africa Support Network, USA
Kalewongel Minale	PhD candidate, Sant'Anna – School of Advanced Studies, Italy
H.E. Amb Billy Modise	Former South African Ambassador to Canada; former South African Chief of State Protocol; Trustee, ACCORD, South Africa
Munyaradzi Motsi	Head, a.i., Reconciliation and Peace Consolidation Section, United Nations Mission in Liberia (UNMIL), Liberia
Felly Mbenga Mukuna	Movement of Youth for Development and Dignity, Democratic Republic of the Congo
Desmond Mwembe	Lecturer, National University of Science and Technology, Department of Statistics and Operations Research, Zimbabwe
Philani Ndebele	Campaigns Manager, Action Support Centre; MA Student, Development Studies, WITS University, South Africa

H.E. Amb Welile Nhlapo	Former Chair of the Kimberley Process; former National Security Advisor to President Jacob Zuma, Senior Political Advisor, ACCORD, South Africa
Dumisa Ntsebeza	Advocate, Victoria Mxenge Group of Advocates, South Africa
Charles Nyuykonge	Senior Researcher, Knowledge Production Department, ACCORD, South Africa
Dr Fredrick Ogenga	Head, Communication, Media and Journalism Department, Rongo University College, Kenya
Ijeoma Ononogbu	Solicitor, England & Wales, UK
Dr Everette Penn	Director of the Teen And Police Service Academy, USA
Shalima Pursotham	Programme Administrator, Knowledge Production Department, ACCORD, South Africa
Joanita Rwebangira	PhD candidate, School of Political Science, University of KwaZulu-Natal, South Africa
Jerome Sachane	Deputy Director, ACCORD, South Africa
Dr Lisa Mächa Saye	President, The Association of Third World Studies (ATWS), USA
Ellah Siang'andu	Lecturer in Law, University of Zambia, Zambia
Priyal Singh	Researcher, Knowledge Production Department, ACCORD, South Africa
Anthony Smith	Managing Director, Southern Africa School Mediation Initiative, South Africa
Dr Elizabeth Sugh	Lecturer, Benue State University, Nigeria
Ellen Taylor	Associate Director, California Lawyers for the Arts; Director, Sacramento Mediation Center, USA
Joel Trudell	Senior Research Associate, SIL International, Kenya
Claudia Tublin	New York, USA
Comfort Ugbenm	Lecturer, Department of Sociology, Benue State University, Nigeria
Anthony Obinna Ugwu	Director, Centre for Advanced Reconciliation, Rehabilitation Orientation, and Development (CARROD), Nigeria

Prof. Ernest Uwazie	Founder and Executive Director, CAPCR-CSU-Sacramento, USA
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