



**DISCUSSION  
PAPER  
SERIES**

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**How Perks for Delegates Can  
Influence Peace Process Outcomes**

**Thomas Kwasi Tiekou**

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CIGI was founded in 2001 by Jim Balsillie, then co-CEO of Research In Motion, and collaborates with and gratefully acknowledges support from a number of strategic partners, in particular the Government of Canada and the Government of Ontario.

Le CIGI a été fondé en 2001 par Jim Balsillie, qui était alors co-chef de la direction de Research In Motion. Il collabore avec de nombreux partenaires stratégiques et exprime sa reconnaissance du soutien reçu de ceux-ci, notamment de l'appui reçu du gouvernement du Canada et de celui du gouvernement de l'Ontario.

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## THOMAS KWASI TIEKU

Thomas Kwasi Tieku is the Lead Researcher at CIGI's Africa Initiative program. He is also cross-appointed to the Munk School of Global Affairs and New College in the University of Toronto where he directed the African studies program until May 2011. Tieku holds a Ph.D. in International Relations from the University of Toronto. His current research focuses on international mediation and negotiation, regional security innovations, international organization, and foreign policy analysis. He is the co-editor of *African Journal of Political Science and International Relations*, and the author of *U.S.-Africa Relations in the Age of Obama*.

## ABSTRACT

This paper examines the impacts that luxurious perks for delegates, such as paid daily allowances, have on peace talks.<sup>1</sup> Drawing on the Burundian peace processes held in Arusha in Tanzania and the Seventh Round of the Inter-Sudanese Peace Talks held in Abuja in Nigeria, shows that perks can unintentionally prolong peace talks. For some of the delegates, staying free of charge in five-star hotels and receiving the equivalent of five months' pay in one week of per diems made continued talks more attractive than achieving peace. The generous incentives seduced the conflicting parties away from whatever interest they might have had in actually reaching an agreement, encouraged delegates to create procedural barriers where none had previously existed, and promoted fragmentation among the rebel groups at the negotiating table. Though the paper uses contemporary African case studies to illustrate the argument, this issue transcends the African continent, as perks are a long-established diplomatic practice. To deal effectively with the unintended problems they create requires fundamental cultural and attitudinal changes in most international organizations.

## INTRODUCTION

Perquisites (common usage, perks) such as paid daily allowances for participants are ubiquitous features of peace talks, yet few studies have explored their impact and their implications for policy. The absence of research on the role of perks in peace processes is surprising given the plethora of literature on the role of incentives and side payments and since the practice is as old as peace talks themselves. Before 1945, hosts of peace conferences provided perks in the forms of free, lavish accommodations and frequent, elaborate entertainment, such as seated dinners, salons, concerts and balls. During the Congress of Vienna, these negotiating favours were so expensive that the "Austrian Empire was forced to institute a fifty percent income tax to pay for them" (Stanton, 2010: 50). Amid the severe economic crisis in Europe immediately following World War I, when necessities of life were beyond the means of most French citizens, France provided to each delegate to the Paris Peace Conference negotiating gratuities that drove one American negotiator to write to his wife that he was "living more luxuriously than I ever did in all my life before" (Seymour, 1965: 55). In the post-Cold War era these perks take the forms of free airline tickets, free accommodation in luxury hotels and generous per diems, among other things. Their widespread acceptance is based on assumptions that they enhance conflict negotiation processes, are useful

1 The first round of interviews, regarding the Arusha Peace Processes, was conducted as part of an independent study commissioned by the Centre for Humanitarian Dialogue in Geneva and the Conflict Management Division of the Department of Peace and Security of the African Union. The author thanks the two organizations for the generous funding and the incredible access they provided. The second round of interviews and the rest of the research were supported by the Africa Initiative and CIGI. The research benefited from numerous interviews with Organisation of African Unity (OAU) and African Union (AU) officials, international mediators, and key parties from Burundi and Darfur region of Sudan. Their identities have been kept intentionally anonymous. The views expressed here and any errors in the paper are solely mine.

in coaxing parties to come to the negotiating table and serve as incentives for parties to strike a deal.

This paper tests the foregoing assumptions by examining the role and impacts of perks in the Burundian peace processes, held in Arusha in Tanzania between 1996 and 2000, and the Seventh Round of the Inter-Sudanese Peace Talks on the Conflict in Darfur, held in Abuja in Nigeria between 2005 and 2006 (the Darfur peace talks). The focus is on the Burundian peace processes and the Darfur peace talks, in part because they are classic examples of the influential position of negotiation perks in post-Cold War peace talks, and in part because the two cases help to explain the contribution of international organizations to the institutionalization of perks in peace processes.

It is contended that the luxurious perks bestowed on delegates to the Burundian and Darfurian talks unintentionally prolonged the negotiations. They seduced the conflicting parties away from whatever interest they might have had in actually reaching an agreement. For some, living free of charge in five-star hotels and receiving the equivalent of five months' pay in one week of per diems made continued talks more attractive than achieving peace. Many of the feuding parties found the perks great value for their effort — or rather, lack thereof — and they thus seem to have shared an incentive to keep the talks going.

Although this argument draws on African cases, it is not a peculiarly African challenge. There is nothing distinctively African about negotiation perks. Major donors gave the resources from which funds were drawn to provide these perks because they were following long-established diplomatic practices and because they had been socialized to think that perks enhance peace talks.

The argument is pursued in four parts, beginning with an overview of the nature and origins of the two conflicts. The second part outlines the approaches taken to resolving them, and shows how and why negotiation perks were introduced. The third part describes the role perks played in the talks. The last section looks at the policy implications of the findings.

## THE NATURE OF THE WARS

The state of Burundi and the sub-state of Darfur have experienced war intermittently since the 1950s. The most notable of the Burundian conflicts are the brutal suppression of an attempted coup in 1965, the arrests and killings of Hutu elites in 1969, the massacre of more than 150,000 people (mostly Hutus) in 1972, and the killings of more than 15,000 people in 1988 (Lemarchand, 1970, 1995, 2008; Malkki, 1995). It was, however, the long war that followed the assassination on October 21, 1993 by a group of Tutsi military officers, of the entire leadership of the first democratically elected Hutu government, led by Melchior Ndadaye, that attracted international attention and led to regional and international intervention (Chrétien, 2003). The assassinations of the president, the speaker, and the deputy speaker of the National Assembly of Burundi and several high-ranking members of the ruling *Front pour la démocratie au Burundi* (FRODEBU) party left a political

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vacuum that the Burundian military moved quickly to fill. The Minister for the Interior in Ndadaye’s government, Leonard Nyangoma, formed a rebel movement, the *Conseil national pour la défense de la démocratie* (CNDD), *Forces nationales de libération* (FNL), with the intention of removing the army from power and restoring the FRODEBU government (Bentley and Southall, 2005; Makoba and Elavie Ndura, 2006; Barltrop, 2008). Together with key members of the CNDD, including several FRODEBU members of parliament who were then living in exile in the Democratic Republic of the Congo, the CNDD attacked strategic interests of the Burundian army (Ngaruko and Nkurunziza, 2000). The CNDD-armed campaign activated the *Parti pour la libération du peuple Hutu – Forces nationales de libération* (PALIPEHUTU-FNL), the Hutu rebel group founded in the 1970s to fight Tutsi domination of Burundian politics. Other rebel groups later sprang up.<sup>2</sup> The war claimed more than 150,000, while more than 700,000 refugees fled to neighbouring states (Ngaruko and Nkurunziza, 2000: 404–405).

Unlike those in Burundi, many of Darfur’s local wars have been over economic issues (de Waal 2006; Flint, 2010; Tubiana, 2007). Intense “competition between sedentary groups and pastoralists over water and grazing lands” has often been the immediate cause (Tubiana, 2007: 214) of conflict. In February 2003, a more overtly political war erupted when a group calling itself the Darfur Liberation Front (now the Sudan Liberation Movement/Army (SLM/A)) attacked and captured Gulu, the political capital of Jebel Marra, a province of Sudan. The rebels demanded that the Government of Sudan (GOS) stop marginalizing the Darfurian people, allow equal representation of Dafurians in federal Sudanese institutions, and end the harassment and military campaigns of the Janjawiid, a government-backed local militia group (Prunier, 2006). The GOS launched land and air attacks, and empowered the Janjawiid to fight the rebels. A few months later another rebel group, the Justice and Equality Movement, with demands similar to those of the SLM/A, joined the conflict. An estimated 300,000 people died from the combined effects of war, hunger and disease; more than two million are displaced in Sudan and more than 200,000 have fled to neighbouring states (Tubiana, 2007; Hagan and Palloni, 2006).

## THE NATURE OF TALKS AND PERKS

Two leading international organizations, the United Nations (UN) and the OAU and its successor, the AU, tried to resolve the two conflicts through mediation. The OAU, in consultation with the UN, asked two Tanzanians, the late President Mwalimu Julius Nyerere (former President of South Africa Nelson Mandela took over the negotiation when Nyerere died in 1999) and Salim Ahmed Salim, former prime minister of Tanzania and former secretary general of the OAU, to lead, respectively, the Burundian peace processes and the Darfur peace talks. The two iconic Tanzanians were further mandated to help the negotiating parties create a new, inclusive political system (Khadiagala et al., 2006; de Waal, 2007).

<sup>2</sup> The CNDD split into various factions. A stronger rebel group called the *Conseil national pour la défense de la démocratie – Forces pour la défense de la démocratie* (CNDD-FDD) emerged from the CNDD. Various factions of the CNDD-FDD became important players after 1996, and they continue to dominate the political scene in Burundi.

President Nyerere chose a facilitative mediation strategy, and established a negotiating team chaired by Mark Bomani, a highly connected Tanzanian legal practitioner.<sup>3</sup> In doing so, he imposed a more passive mediation strategy and style on his team. Team members were expected to channel information to the various parties, encourage them to talk directly, and help them make joint decisions without trying to control the formal negotiation processes or influencing the substance of the agreement in any significant way (Bercovitch, 2004).

Salim, on the other hand, established a directive mediation strategy and style, with Sam Ibok as the main interlocutor. Ibok, who had worked for Salim on political issues when Salim was the secretary general of the OAU, is a shrewd Nigerian diplomat. Alex de Waal, American-based writer on Darfur, and Laurie Nathan, a South African with a reputation for advising both rebels and government officials on mediation matters, were contracted as experts (“backstoppers,” in mediation jargon). As leaders of the directive mediation team, the backstoppers and the chief mediator were expected to be more assertive. Their mandate included controlling the negotiation processes and encouraging settlement of differences through persuasion, channelling and massaging of information, making concrete suggestions, drawing attention to points of agreement, merging positions of parties and even drafting agreements for them if necessary (Touval and Zartman, 1985; Fisher and Keashly, 1991; Kressel, 2000).

As with most mediation efforts, the outcome was heavily influenced by the quality of the administrative support. The negotiating team for the Burundian peace processes was supported by about 32 administrative staff, most of whom were from the Tanzanian Ministry of Foreign Affairs and International Co-operation (MFAIC), and two of whom — Abeid Buttu and Bismark Mwansasu — were from the Mwalimu Nyerere Foundation (MNF).<sup>4</sup> Although the facilitation team and the administrative staff were relatively large, Delay’s study shows the people from the MNF and the Tanzanian MFAIC had no specialized knowledge of Burundi or the involved parties (2007). The facilitation team had only limited access to reliable and independent information on parties’ capabilities and views, and they consequently misperceived numerous issues (Francis and Tiekou, 2009). The Darfurian mediation team had the opposite problem. Both the backstoppers and the administrative support, who were drawn from the overworked and underpaid staff in the Peace and Security Department (PSD) of the AU, had the necessary specialized knowledge, but they were few. The addition of the Darfur peace talks to the already excessive workload of the PSD meant that those negotiations never obtained sufficient administrative support.

3 The team members were the Honourable Judge Joseph S. Warioba, Ambassador Anthony B. Nyakyi, Joseph Butiku, Nicholas Haysom, Ambassador Dickson I. Kathambana, Ambassador Ayite J.C. Kpakpo, Brigadier General Hashim I. Mbita, Tarcis B. Kabwegere, Ambassador Adam Marwa, Helen L. Wegasila, Richard Tibanadebage, Bunting Ikaweba, Donatian Mwemezi, Fahamuel A. Mmasa, Paschal Daud, Michael Shayo, Bismark Mwansasu and Abeid Butu. Ambassador Berhanu Dinka, the Special Representative of the UN Secretary-General, and Ambassador Mamadou Bah, the Special Representative of the OAU Secretary-General, were not part of the facilitation team, but they were consulted extensively on every issue by them.

4 The staff members were reporters, translators, note-takers, revisers, précis writers, documentarists and record keepers’ secretaries drawn from the OAU and UN systems.

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The choice of negotiating venue provides useful information about the talks and the kind of perks employed. The negotiating team for the Burundian peace processes selected the northern Tanzanian town of Mwanza, a vibrant city on the shore of Lake Victoria with a population of approximately 500,000. The selection of Mwanza was ostensibly aimed at protecting the talks from media intrusion and foreign diplomatic interference. At the same time, President Nyerere and his Tanzanian advisers were acutely aware that international interest in the mediation was inevitable. The challenge for the team was to find a venue where they could showcase the best aspects of Tanzania while controlling the flow of information to the international press. Equally important, the team wanted to hold the talks in a location in Tanzania where they would be able to treat delegates to the best Tanzanian hospitality. It was particularly essential that the facilitation team find good hotels able to give first-class service to the delegates from the FRODEBU and the *Union pour le progrès national*. Mwanza, with its glowing reputation as a commercial hub and tourist destination, had the infrastructure and the limited diplomatic and local media presence the facilitation team wanted (Interview by author, Dar-es-Salaam, October 27, 2008). After the second round of discussions, the venue changed to accommodate their expansion to include every political party in Burundi (Mpangala and Mwansasu, 2004; Bentley and Southall, 2005).<sup>5</sup> The number of delegates increased from fewer than 20 to more than 150.<sup>6</sup> Mwanza did not have enough first-class facilities to accommodate the new delegates. Arusha — nicknamed “The Geneva of Africa” — had the necessary facilities to accommodate the new delegates (Interview by author, Dar-es-Salaam, October 28, 2008). The facilitation team selected The Arusha Hotel, one of the finest and most spacious hotels in Tanzania, as the new venue. President Nyerere mobilized over US\$6 million from international donors and the OAU to pay the administrative costs (PricewaterhouseCoopers and Tanzania Audit Corporation, 2001).

A similar desire to use the talks to promote broader public diplomatic objectives influenced Nigeria’s former President, Olusegun Obasanjo, then the chairperson of the AU, to offer Abuja, Nigeria’s capital city, as the venue for the Darfurian talks (Interview by author, August 14, 2011). Like the Burundian facilitation team, Obasanjo wanted to give a good impression of his country. Abuja, the best planned of Nigerian cities, with a vibrant central district, was the obvious choice. The five-star Sheraton Abuja Hotel was selected to house both the talks and the delegates. The AU rented conference facilities for the talks and paid for the cost of delegates’ lodging. When the number of delegates exceeded the room availability of the Sheraton Abuja Hotel, the negotiations and delegates were moved to another, equally expensive,

5 The increase in the number of delegates was largely a result of protests from Burundian parties who were excluded from the first two rounds. Ambassador Terrence Nsanze, the leader of the *Alliance Burundo-Africaine pour le salut* (ABASA) party, was the main architect of the protests.

6 The new parties were the Government of the Republic of Burundi, the National Assembly, ABASA, the *Alliance nationale pour le droit et le développement*, the *Alliance des vaillants*, the CNDD, the *Front pour la libération nationale*, the *Parti socialiste et panafricaniste* (INKINZO), the *Parti pour la libération du peuple Hutu*, the *Parti pour le redressement national*, the *Parti indépendant des travailleurs*, the *Parti libéral*, the *Parti du peuple*, the *Parti pour la réconciliation du peuple*, *Rassemblement pour la démocratie et le développement économique et social*, and the *Rassemblement du peuple Burundais* (RPB).

Abuja-based hotel called the Chida International Hotel. Neither the AU nor President Obasanjo's team, however, seems to have been aware that the negotiation literature counsels against holding talks in cities such as Abuja, which has a notorious gossiping culture. The presence of many diplomatic missions and the abundance of media outlets such as live phone-in FM stations offered parties ample opportunities to negotiate in public or through back channels. Some delegates took advantage of these opportunities to leak information and undermine the authority of the mediation team. It is perhaps unsurprising that after a few days the mediation team realized the parties were more interested in talking to foreigners and outsiders than to them (Interview by author, August 14, 2011).

Another seemingly trivial but common concern for both mediation teams was the "sitting allowance," or per diem, to be paid to each delegate. The facilitation team of the Burundian peace processes decided, after extensive debate, that the allowance had to reflect international rates and the status of senior government officials (Interview by author, Dar es Salaam, October 27, 2008). President Nyerere insisted on equity in the awarding of sitting allowances (Interview by author, Dar es Salaam, October 27 and 28, 2008). Mark Bomani, in consultation with President Nyerere, felt it would be appropriate to use the per diem rate of the OAU as the baseline (Interview by author, Dar es Salaam, October 28, 2008). The OAU per diem rate at the time was the monthly published UN daily subsistence allowance (DSA) in locations around the world, plus a certain percentage. The secretary general of the OAU thus received the UN rate plus 40 percent; the deputies and heads of other organs of the OAU got the UN rate plus 30 percent; the undersecretary general claimed the UN rate plus 25 percent; and the rest of the staff and other officials of the OAU member states on official missions billed the UN rate plus 20 percent. In the Burundian peace processes, the per diem of the incumbent government officials, former government officials and sitting and former members of parliament in each delegation was the UN rate plus 40 percent; their deputies got the UN rate plus 30 percent and the rest received the UN rate plus 20 percent. This arrangement meant that each delegate received the equivalent of more than US\$100 per day. As of 1999, the total per diems and allowances paid to delegates averaged US\$2,542,363.91 per annum (PricewaterhouseCoopers and Tanzania Audit Corporation, 2001).

The Seventh Round of the Inter-Sudanese Peace Talks used the per diem system agreed upon during previous rounds. It took the AU rate as a benchmark. As with the OAU, the AU per diem was the monthly published UN DSA in locations around the world plus a certain percentage. The head of the mediation team in Abuja employed this system when he claimed the UN DSA plus 40 percent; the chief negotiators were paid the UN rate plus 30 percent; the head of each delegation were paid the UN rate plus 25 percent and other delegates claimed the UN rate plus 20 percent. The arrangement meant that each delegate claimed not less than a US\$150 daily subsistence allowance.

As in most recent mediations, delegates to the Burundian peace processes in Arusha were provided with airline tickets that reflected their position and

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 LIFE OF A FIGHTER  
 IN THE BUSH**

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status. Most heads of delegation received business-class tickets, while other delegates travelled on economy-class tickets. Given the numbers involved, the facilitation team felt it was necessary to find a small chartered aircraft to transport delegates from Burundi to the venue (Interview by author, Dar es Salaam, October 28, 2008, and August 14, 2011). The negotiating team for the Arusha talks thought a chartered aircraft, subsidized by the Tanzanian government, might reduce both costs and absenteeism. In addition, conveying the greater number of the delegates in a chartered aircraft might present opportunities for them to talk without intermediaries, to forge bonds and make the effort to trust each other (Interview by author, Dar es Salaam, October 27, 2008). Some of President Nyerere’s advisers felt that the comfortable travelling arrangement provided would get the message to the Burundian parties that there is comfort to be had in political life. They were of the view that it would give members of Burundian delegations a taste of life in government, and communicate to the warring parties that politics in peacetime is a more attractive option than conflict, and that they would enjoy such a lifestyle if they legitimately won an election. As a member of the inner circle of President Nyerere’s team put it, the cozy environment was supposed to send a clear message to the parties that the life of even a struggling politician is better than the most glorious life of a fighter in the bush (Interview by author, Dar es Salaam, October 27, 2008).

At the Seventh Round of the Inter-Sudanese Peace Talks, airline tickets to Abuja were dispensed in the usual fashion to delegates sponsored by international organizations. Most were sent from the AU headquarters in Addis Ababa. Heads of delegation were given business-class tickets, and other delegates had to settle for economy. The rebel delegates were too scattered around the world for the AU to consider airlifting them all from one location. It is striking that the bulk of tickets went to people living outside Sudan. A leading member of the mediation team observed: “The locations of invitees to the talks shocked me when I received the list for the distribution of tickets. I remember distinctly that the majority of the round-trip tickets were sent to people living outside Sudan. Many were in London, Paris, New York, Washington, Toronto and other major cities” (Interview by author, Dar es Salaam, August 14, 2011).

That observation indicates the transnationality of the Darfurian problem, but further research shows the rebels took the opportunity to bring their financiers, external backers and other stakeholders together to review the conflict and plan the next phase of the war (Interview by author, Dar es Salaam, August 14, 2011; Addis Ababa, August 17, 2011). In other words, the negotiation theatre not only served as a location for peaceful settlement of the conflict; it also provided the platform for key stakeholders to meet to plan and act out the future of the war. Perhaps the frequent and sometimes large gatherings of rebel delegations should have sounded an alarm, but the mediation team noticed this self-defeating aspect of the negotiation theatre only at the end of the peace processes. A senior member admitted they should have asked serious questions when they were asked to send so many tickets to people living outside of Sudan (Interview by author, Dar es Salaam, August 14, 2011). The facilitation of the rebels’ meetings and coordination of their war efforts by means of free airline tickets is just one

of the many unintended and unhelpful roles negotiation perks played in the Burundian and Darfurian peace processes.

## THE UNINTENDED CONSEQUENCES OF NEGOTIATION PERKS

The generous perks given to parties to these negotiations changed the incentive structures, creating what Bertram Spector (2008) has described as “professional negotiators.” They contributed to making the “*status quo more profitable* than peace and the responsibilities of exercising power” (Flint, 2010: 12, emphasis mine). In the Burundian processes, many delegates soon realized that “by economizing on their per diem, [they] can ‘earn’ in a week the equivalent of five months’ salary” (Reyntjens, 2000: 22). The strategy of these people was to find a way to delay the negotiation processes as much as possible in order to make more money. As reported by the International Crisis Group (2000: 16), “Burundi parties invested more effort in inventing resistance strategies than in participating in the peace process.” The resistance strategies were particularly favoured by those who felt they could make enough money from the peace processes to build houses or invest in long-term projects. In the words of a Burundian interlocutor:

We did not go to Arusha to make money out of our problems. We went there to find solutions to our problems... We didn't know at first that we would be given any money for participating in the peace process. We went there with our minds open, and to listen to Mwalimu Nyerere. Some of our people realized they could get something from the process to complete houses they were building. Burundians call some of our houses Arusha houses, but I do not think there is anything wrong if you save a legitimate allowance you receive and invest it in a long-term project (Interview by author, Bujumbura, August 14, 2008).

The Burundian interlocutor is probably correct that the initial intention of delegates was not to make money out of the peace processes, but many of the delegates did become more interested in the monetary incentives than in striking a deal. Julie Flint put this well when she said that “as rebellion became associated with material benefits — flights all over the world, accommodation in luxury hotels, generous per diems — new rebel ‘leaders’ emerged who were driven by economic, not political considerations” (Flint, 2010: 11).

Some delegates developed mood swings as a delay tactic. One day they displayed tremendous enthusiasm for an agreement, but a few days later showed complete indifference. It was a strategy the Darfurian rebels used to great effect during the talks in Abuja. They were sometimes “ebullient and impatient” to reach a deal, and then changed their position the next day (de Waal, 2007). They came up with new positions or hardened disagreement, often supposedly after consulting their rank and file. There is a real possibility that the mood swings reflected internal organizational negotiation, and that the delegations’ stands were dictated by power brokers and hardliners who

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were not at the table. As Jan Egeland (1999: 544) reminds us: “[T]here are always influential political, military or economic warlords who have their personal and professional interests tied to continued conflict. For a general or guerrilla leader, peace can be a very scary prospect: demobilization, early retirement, alienation and, increasingly, investigations for possible war crimes. For the political wartime leader, peace may mean democratic elections that often bring a new generation of leadership.”

The regularity of the mood swings, though, and the calculated way in which the rebel leadership tried to keep the discussions going without making any real compromises, suggest that their positions were not entirely dictated by field commanders or rank-and-file hardliners absent from the table. Abdel Wahid, founder of the Sudan Liberation Movement (SLM), in particular, played this game of cooperating one day and obstructing the next extremely well, even when the formal negotiations of the Seventh Round of the Inter-Sudanese Peace Talks had ended. As “the Chida Hotel emptied,” writes Alex de Waal (2007: 280), Abdel Wahid “sat in his room insisting that he was still determined to make peace.” Everyone, however, including the AU leadership, had come to the painful realization of Abdel Wahid’s insincerity. They knew he was unwilling to sign any agreement, but was willing to continue to stay in Abuja and enjoy the cozy life the negotiation processes had given him. A senior diplomat who was involved in the talks (Interview by author, Addis Ababa, August 15, 2011) put it this way: “Our UN colleagues had earlier warned us that these Darfur players who came here with plastic bags and without toothpaste wouldn’t leave the negotiating theatre unless you turned off the juicy tap.” The UN staffer in question appears to have been correct, as de Waal tells us that Abdel Wahid’s demeanour changed “after he was removed from the Chida Hotel after the AU stopped paying his bill — an action that he took as a calculated insult” (de Waal 2007: 281). As senior AU officials suspected would happen, he departed Nigeria as soon as the AU derailed the gravy train.

The generous daily per diem provided to all negotiating party representatives encouraged delegates to erect procedural barriers where there were none and to overplay genuine procedural challenges. Indeed, delegates to both the Arusha and the Darfur peace talks mastered the art and science of dragging out the procedure of the negotiations. Much time in the Darfur processes in Abuja was spent renegotiating many of the procedural issues agreed upon by all parties in earlier rounds. The delegates who renegotiated the Declaration of Principles were for weeks deadlocked over whether Eritrea’s delegation should participate and whether Chad could co-mediate. The lengthy and, in some cases, meaningless stalemate over Chad’s role — Chad was the sole mediator until Abuja — frustrated the mediation team, prompting the chief mediator to complain to friends that they had deviated from their goal through “procedural wrangles. First it was the issue of Eritrea participation, then we got stuck on format issues, and when things seemed to be moving forward, the question of the Chadian Co-mediator bedevilled our progress” (Interview by author, August 14, 2011).

Delegates set on dragging the processes out for as long as they could, as they made little effort to accommodate each other’s positions and forge

common ground. In Abuja, none of the parties made any serious effort to bargain, collaborate, claim or create value or engage in problem solving, as serious negotiators usually do. Most of the time, “the parties simply reiterated their demands, rejected their opponents’ positions, traded accusations and attempted to gain a military advantage in the field” (Brickhill, 2007: 5). Laurie Nathan notes that the talks in Abuja served largely as a forum in which each side “could rehearse its condemnations of the other” (2006).

The Burundian delegates used similar tactics throughout the first three years. It became common for them to engage in long and unproductive dialogues with each other, mostly rehashing ideas discussed in previous sessions. One interlocutor puts it this way: “Burundi parties did not know how to stop talking. They talked, talked, talked, mostly restating old talking points... It appeared they were competing with each other for the title of best orator during the talks” (Interview by author, October 27, 2008).

The extravagant per diems encouraged fragmentation of the rebel groups. In Burundi, the Hutu rebels split into eight groups, and the Tutsi groups into about 10, and each of these demanded a certain number of seats at the table. The “number of delegates got out of hand,” observed one Tanzania interlocutor (Interview by author, Dar es Salaam, August, 13 2011). The Burundian parties “kept adding people. The facilitation team could do little to stop it, as all belligerent parties felt it was necessary to do so. We started with less than 20 delegates, but ended up with over 150,” he despondently noted. The Darfurian groups also fissured. The SLM/A fragmented into the SLM/A-Wahid al Nur and SLM/A-Minni Arkou Minawi camps. Indeed, the material benefits associated with the talks combined with simmering tensions within delegations to produce factions whose interests in negotiation perks trumped all other considerations.

## **POLICY IMPLICATIONS**

The double-edged nature of negotiation perks creates an enormous policy challenge for the AU, the UN, other international organizations, and the broader international donor community. As these two cases show, negotiation to end a major conflict is usually led by a respected statesperson such as a former head of state or highly regarded international civil servant. These individuals have normalized what an average person would consider an ostentatious lifestyle. They expect any assignment to be accompanied by a first-class airline ticket or chartered aircraft, accommodation in the executive suite of a five-star hotel, and other extravagances. Many demand them as a right. A more modest incentive structure would be perceived as an insult and a punishment. Creating a two-tier incentive structure, which superficially seems to be a solution, is fraught with challenges. If the chief mediator and his team are enjoying the lap of luxury, can lesser delegates be expected to live in ordinary circumstances without complaints? In the delicate business of negotiation, a highly unequal incentive system will probably generate unnecessary resentment towards the mediation team. It can poison the atmosphere and erect more hurdles.

Perhaps the way Nelson Mandela approached the issue when he took over from Nyerere offers a way forward. Mandela was so concerned about

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the negative impact of the negotiation perks that he insisted delegates to the talks be housed in homes instead of hotels. Delegates were also compelled to accept allowances and conditions similar to those received by public servants in South Africa. The Mandela model was disliked by most delegates, and nobody has been bold enough to try it again. Such a model appears to work best when the talks are held in the mediator's country and members of the mediation team are willing to live their usual life at home. Adopting the Mandela model will require fundamental changes in both the AU and the UN travelling rules for staffers.

Another way to reduce the incentives that tend to prolong negotiations is to change the daily subsistence allowance system. New DSA rates, in line with conditions of service for public servants in host countries, could be developed. The host of the negotiations, assisted by the international community, could foot the bills of rebel delegations, while costs associated with government delegations could be paid by their governments. This approach can provide a way forward, especially if the parties follow the example of the Oslo Accord processes, by meeting in locations where delegations are “surrounded only by peaceful countryside” (Egeland, 1999: 538).

The UN and the AU can also reform the entire DSA system, making travelling less lucrative. The fear, however, is that such reform could turn the AU and the UN staff into second-class international civil servants if similar reforms are not instituted by other international organizations. Given the level of mobility of staff between international organizations, this is a valid concern. Indeed, the OAU adopted a per diem scale higher than the DSA published by the UN primarily to compensate for the lower pay of its staffers. The higher DSA rates were supposed to help AU staffers who travel regularly make additional money to offset the perennially low salary ceiling approved by the Assembly of Heads of State and Government. The irony is that it has not stopped some AU employees from leaving the organization for other, well-paying, international organizations such as the UN and the African Development Bank. Thus, the reform of the DSA system will help the AU — if its political masters are willing to give AU employees conditions of service similar to those of other international organizations.

Many of the negotiation perks are provided by donors, who are often caught in a dilemma. On one hand, if they cut off funding, they risk creating problems for the talks. On the other, they are likely to be blamed for doing little to save taxpayers' money if they overlook the abuse of donor resources. When the Norwegians, who provided substantial funding for the Darfurian processes, came to the painful realization that many delegates had become more interested in the negotiation perks, they put pressure on the Security Council and the AU to set deadlines for the talks, which the Security Council and the AU did. Many commentators now claim those deadlines were a major reason for the failure of the peace processes (Nathan, 2007). The more straightforward way out of the problem is to eliminate overgenerous per diems and other lavish accommodations entirely, but that will require fundamental attitudinal and cultural change at the international level.

## CONCLUSION

A culture has emerged in the circles of conflict negotiation that unintentionally prolongs the negotiation processes. The practice of negotiation perks is an old and institutionalized culture. It predates the Congress of Vienna, held between 1814 and 1815. The cost of perks for those negotiations compelled the Austrian Empire to institute a 50 percent income tax. The pervasive nature of negotiation perks continues to this day, and still the practice raises concerns. This paper contends that the perks offered to delegates to the Burundian mediation in Arusha and the Seventh Round of the Inter-Sudanese Peace Talks in Abuja inadvertently contributed to protracting the wars.

While this analysis focuses on two African cases, the issue transcends the African continent. It is neither a peculiarly African problem, nor only a tradition of African diplomacy. Donors gave the money for these perks, and two premier international organizations disbursed them, in part because it is long-established diplomatic practice. The major new development is the emergence of a network of people who have specialized in turning these perks into income-generating ventures and spinning conflict negotiation into employment opportunities. Changing the system will require fundamental cultural and attitudinal change, not only in the circles of negotiation, but also in the arena of international institutions.

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