

## Conflict Transformation and Human Rights: A Mutual Stalemate?

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The statement that begins the conclusion of Michelle Parlevliet's lead article provides a good entry point into the much discussed and rarely agreed upon topic of conflict and human rights. She states: "Over the years, I have often wondered why the mutual stereotypes about human rights actors and conflict transformation practitioners remain so strong" and why "the perception of a clash between the two fields [is] so persistent, despite the increasing recognition of the close link between human rights, conflict and peace" (in this volume, 33).

In quite a number of ways, human rights and conflict transformation would appear to be naturally suited. In many cases both work towards seeking to end human suffering. Human rights and conflict transformation practitioners, however, may agree that they are naturally suited on paper, but they rarely do so in practice. It is crucial to address the background to this mutual stalemate so as to understand why this is so and whether it can be resolved.

There are many reasons for the stalemate. They include the historical development of human rights and conflict transformation as separate disciplines; the different influences of armed conflict and the cold war on both; and the lack of a complete human rights framework in relation to all aspects of conflict and peacebuilding (and vice versa) which has led to gaps in the definition of specific human rights goals and in the steps taken for their realization in implementing conflict transformation processes. It has been argued elsewhere that the "business of building peace and the business of building a robust regime for the protection of human rights are hardly mutually exclusive endeavours" (Putnam 2002, 264) and also that human rights and conflict are interlinked to the extent that human rights abuses are both symptoms and causes of violent conflict (Parlevliet 2002). The mutual stalemate, though, results from and in competing interests that affect the general applicability and enforcement of both human rights and conflict transformation. Before turning to this mutual stalemate in more detail, some conceptual issues need to be addressed.

## 1. Human Rights in Conflict Transformation: An Aspect of International Humanitarian Law?

Parlevliet warns that the main thrust of her paper is conflict transformation, but the title of the article is “rethinking conflict transformation *from a human rights perspective*” (emphasis added). This then leaves me with little choice but to read it from both a human rights *and* a conflict transformation perspective. Parlevliet argues that human rights should be considered in a multi-dimensional way that does not reduce them to their legal foundations, yet the definition she gives of human rights as “internationally agreed values, standards or rules regulating the conduct of states towards their own citizens and towards non-citizens” (in this volume, 17; quoting Baehr 1999) places human rights squarely in the legal frameworks that define these “internationally agreed values, standards or rules”. To understand human rights in theory and practice, I believe this reading needs fleshing out.

Many academics and practitioners in fact prefer to view human rights in conflict transformation from the vantage point of International Humanitarian Law, finding it more concrete to assess the practicality of human rights from a humanitarian intervention perspective (Donnelly 2003, 242), rather than from the more comprehensive human rights perspective, which is usually seen as theoretical rather than practical.

Interestingly, International Human Rights Law and International Humanitarian Law as they currently exist were largely shaped by conflict. Wars waged as a bid to fight for rights have contributed heavily to human rights instruments and discourse. Consider how conflict has shaped the spread of religions: paradoxically, religion was spread by force through jihads and crusades while the religious texts uphold various standards and rules on how human beings relate to each other (for example in the Old Testament, dating back to 1200-300 BCE, and the original text of the Koran, dating back to 644-656 CE). These religions arguably laid the foundations for human rights.

Consider too, the French and American revolutions, the anti-slavery campaign and the resulting codified human rights instruments, such as the 1791 United States’ Bill of Rights, the French Revolution’s Declaration of the Rights of Man and Citizens (1789), the 1863 Emancipation Proclamation and 1926 Slavery Convention. Consider the battle of Solferino that gave us the 1864/1949 Geneva Conventions and the International Red Cross. The culmination of this conflict and violence were the world wars that led to the drafting of International Human Rights Law.

The United Nations, charged with advancing and codifying human rights, is in itself an organisation whose need was borne out of ending conflict and which was formed as a result of the Second World War. Wars of independence by colonial states as well as the 1947 nonviolent protests led by Mohandas Gandhi, which resulted in India’s independence, were waged on human rights agendas, such as freedom of speech, assembly and information as well as the right to vote. These human rights agendas were in turn reflected in the constitutions of the newly independent states.

For human rights, the Universal Declaration of Human Rights (UDHR) of 1948, which Parlevliet refers to repeatedly, is seen as the authoritative interpretation of the term “human rights” in the Charter of the United Nations. Together with the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both adopted in 1966, it constitutes what has become known as the International Bill of Human Rights. However, since 1948, human rights and fundamental freedoms have been codified in hundreds of universal and regional, binding and non-binding instruments, touching almost every aspect of human life including conflict and peacebuilding and covering a broad range of civil, political, economic, social and cultural rights.

All this goes to say that both the human rights and conflict transformation agendas should be aware of their precursors and need to be firmly above a narrow legalistic understanding, especially considering that human rights are a set of internationally agreed legal *and* moral standards. They establish the basic civil, political, economic, social and cultural entitlements of every human being anywhere in the world at all times. Both human rights' moral and legal standards run through conflict transformation processes across countries, cultures and races and provide limits within which to redefine, appropriate and transform conflicts for constructive social change from a human rights lens.

## 2. Classification and Categorization of Human Rights: Dividing the Indivisible

When it comes to classifying human rights, Parlevliet reproduces the classical division of negative and positive rights. This division sticks to an old definition of human rights as typically divided into two categories: negative human rights (rights to be free from) and positive human rights (rights to), or what Urban Jonsson defined as negative rights to liberty (civil and political rights) and positive rights of welfarism (economic and social rights).<sup>1</sup> Jonsson argued, and I concur with him, that both sets of rights have positive and negative dimensions and that this categorization should therefore not be used.

Parlevliet goes on to classify civil and political rights as first category rights and the social, economic and cultural rights as second category rights. The trouble is that such a categorization is reminiscent of discussions which are well captured in a much-quoted argument by Maurice Cranston: that whereas traditional civil and political rights to life, liberty and property are “universal, paramount, categorical moral rights” (1964, 40), economic and social rights “belong to a different logical category” (ibid, 54; both quoted in Donnelly 2003, 28) – and are therefore not real human rights.

The “categorization” language was used a lot during the cold war, mostly between the western world and the Soviet bloc. The western world largely regarded civil and political rights as real rights and social, economic and cultural rights as rights that one could only aspire to (or as a communist agenda), while the Soviet bloc regarded real rights as those that were ‘tangible’ – such as rights to food, shelter and health.

Today it is widely accepted that although civil and political rights are based on the concept of non-interference – whereas social, economic and cultural rights require the state to take positive action – for human rights and conflict transformation to become a reality as a whole, states and the international community must take steps to create the conditions and legal frameworks necessary for exercising both, which emphasises the principles of universality, indivisibility and interdependence of all human rights.

Each human right entails and depends on other human rights; therefore violating one such right affects the exercise of other human rights. For example, the right to life presupposes respect for the right to shelter and to an adequate standard of living. Accordingly, civil and political rights and economic, social and cultural rights are complementary and respect for all rights is a prerequisite to sustainable peace and development. Amartya Sen, Nobel Laureate in economics, linked the right to information with the right to food and provided empirical proof that human rights are indivisible and interdependent (Sen 1982).<sup>2</sup> The international community affirmed the holistic concept of human

<sup>1</sup> Jonsson during a workshop on rights-based approaches to development, held in Nairobi on 25-29 April 2007.

<sup>2</sup> In his research on famines, Sen found that there is a direct link between the right to information and lack of famine in both rich and poor countries. He was able to demonstrate that no functioning democracy has ever suffered a major famine, mainly because in a country that enjoys the right to information the media calls attention to the famine.

rights at the World Conference on Human Rights, held in Vienna in 1993.<sup>3</sup>

Granted, all this sounds good in theory, but it has been difficult to change mindsets towards working on wholesale (civil, political, social, economic and cultural) human rights, especially within conflict transformation practice. Mary Robinson, former Irish President and UN High Commissioner, acknowledges this difficulty: “When I took up office as UN High Commissioner for Human Rights [...], I underestimated both the degree of the divides and the battles [...]. The truth is that there was not in 1997, and there is still not in 2006, almost ten years later, any clear consensus internationally about what we mean by ‘international human rights’.”<sup>4</sup>

However, it can be and it has been done. While working on a practical assignment for a course tutored by Parlevliet on conflict prevention in 2004,<sup>5</sup> we were able to work with law enforcement officers on building dialogue with community leaders and farmers. We did so by drawing linkages between what were in essence social, economic and cultural rights (which they saw as access to farms and water) and civil and political rights (which they saw as freedom of association and information). In doing so, we were able to halt the conflict (see *Box 1*).

### Box 1 – A Process for Linking Rights: The Example of Mt. Elgon

The course work required the participants to submit a conflict prevention action plan, which I based on work we were already doing with the Ministry of Agriculture on human rights-based approaches to development as part of a strategy of building capacities for strengthening farmers. Our work included training agricultural and livestock development officers who would in turn train farmers on human rights issues, especially in regard to the right to food and water. The action plan was ideal for this group as the farmers were located in the Mt. Elgon area that is prone to what is referred to here in Kenya as ‘politically ethnic-based clashes’. The assignment therefore gave me an opportunity to combine development, security and human rights.

Mt. Elgon has several settlement schemes that are perceived to be at the root of conflicts. The *underlying causes* of the conflict, however, are numerous and include land access, ethnicity, local political struggles, insecurity, etc. As a result of the land issue, there was insecurity in the area with a group of people – the Sabaot Land Defence Forces (SLDF) – taking up arms to protect the settlement scheme that they consider rightfully theirs. There have been clear political influences both on the allocation of the land and the formation of the SLDF. (This exercise happened in 2004. In 2008, SLDF leaders were shot dead by military and law enforcement officers when the violence began again.)

After monitoring the human rights abuses that were occurring in the area, we decided that it was vital that all actors in the process work towards ensuring that peace is restored, in order to pave the way for any meaningful discussions to take place on the allocation of land in the controversial scheme. We began a process of dialogue with authentic community leaders, the farmers and law enforcement officers, by drawing linkages to development, human rights and conflict prevention. The process worked by getting the actors to engage in dialogue, by asking questions based on particular activities such as:

<sup>3</sup> The Vienna declaration states “All human rights are universal, indivisible and interdependent and interrelated. The International Community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.” See Section I, Art. 5 ([www2.ohchr.org/english/law/vienna.htm](http://www2.ohchr.org/english/law/vienna.htm); accessed 25 January 2010).

<sup>4</sup> Mary Robinson 2006. “A Human Rights Approach to Social Justice”. Article posted on [www.unlockdemocracy.org.uk/?p=720](http://www.unlockdemocracy.org.uk/?p=720) (accessed 1 March 2010).

<sup>5</sup> The course was sponsored by Fahamu and the Office of the High Commissioner for Human Rights. At the time, I was working as head of education at the Kenya National Commission on Human Rights.

**(i) Conducting a Stakeholder Analysis** to identify both duty bearers and claim holders by asking: what is the role of the government officials as duty bearers? What is the role of the communities as claim holders?

**(ii) Conducting a Broad-Based Survey** to identify and analyse problems and their manifestation in terms of human rights and conflict transformation (such as access to food and water, child labour, low participation of women, environmental degradation, etc.) by asking: who is most affected? Why are they affected? What can be done?

**(iii) Developing a Community Action Plan** with both the community and the duty bearer committing resources towards a peace process by asking them: who stands to benefit from the peace? What rights are protected by the peace (right to association, information, food, water)?

**(iv) Identifying and disaggregating** claim holders into men, women, the youth, and resource poor and vulnerable; then finding out: are people affected differently by the conflict?

**(v) Capacity Building** through training of the law enforcement officers and farmers' representatives to integrate principles of conflict prevention and transformation into their work, in addition to identifying violations of rights to association, access to information, delivery of agricultural and water services. The training was focused on changing attitudes, information-sharing and public participation. The farmers were sensitised to participate in decisions affecting their rights and demand accountability and transparency. The security forces were trained on their roles as duty bearers and as capacities for peace. Questions addressed were: what are the steps for building trust? Will informed decisions affect the conflict transformation process?

**(vi) Networking.** Different categories of the community were encouraged to build up networks with relevant providers such as donor-specific sectors in areas such as bee- and poultry-keeping. Questions addressed were: how will the people sustain themselves? How will the communities be made to understand that diversification of activities provides more options and lessens conflict?

**(vii) Rewarding Effort.** The Commission awarded a human rights award to the area's provincial commissioner Mr. Hussein Noor (on 18 February 2007) for his role in conflict prevention. In addition to working with the local communities, he was a key part of the process of training the law enforcement officers.

A review of the human rights, conflict prevention and transformation action plan must acknowledge the need to look for equilibrium between all rights (civil and political and social, economic and cultural) as well as the imperative short-term security solutions and the long-term development solutions for sustainability of the process as a whole.

My point is that categorizing human rights leads to further misinterpretation of conflict transformation processes. For example, many peace agreements specify that post-conflict governments should work with democratic systems of government, which include reforming or setting up institutions such as the judiciary or police, ensuring protection of fundamental rights and freedoms and establishing the rule of law. When categorizations of human rights are brought into play in such a setting, the danger

of splitting hairs over which rights are more important can divert from the more important matter of ending the conflict.

### 3. Integrated Missions in Practice: The Challenge of Working Together

Parlevliet gives an excellent overview on the development of human rights and conflict resolution literature. In practice, the shift in conceptualizing human rights as part of the conflict resolution agenda was reflected in, for example, a UN policy framework that appreciates the interdependence and mutual reinforcement of development, security and human rights (Annan 2005, art. 13). The *both/and* as opposed to the *either/or* terminology is now reflected in statements such as “countries which are well governed and reflect the human rights of their citizens are better placed to avoid the horrors of conflict” (ibid.). This policy framework built on the Brahimi report of 2000, which had suggested that integrated mission task forces for mission planning and support would include, for the first time, those responsible for human rights, political analysis and military strategy, among others.<sup>6</sup>

This framework and others contributed to a shift in UN policy towards defining a practical, integrated-missions approach that involves, among other initiatives, a civil-military coordination training course.<sup>7</sup> Accompanying handbooks on specific areas such as human rights, humanitarian perspectives and demobilising, demilitarising and reintegrating combatants are now mandatory in the training for peacekeepers. The training courses target not just UN workers but also human rights organisations and humanitarian agencies on the ground.

However, in general the role of civilians such as human rights practitioners is still to a large extent seen as support for the military component. This is, for example, reflected in the aims of the civil-military module that I received from the military component leaders to prepare for teaching human rights to a peacekeeping force.<sup>8</sup> They read: “the aim of the Human Rights Module is to provide participants with an understanding and working knowledge of the Human Rights instruments, agencies and activities operating in a DPKO [Department of Peacekeeping Operations] field mission, in order to understand the roles of the Senior Management Team in the area of Human Rights to enhance and support the execution of the mission mandate through cooperation, consensus, communication, coordination and integration by component leaders”.

Interpretations of what constitutes priorities in identifying needs, interests, objectives and processes in conflict transformation may differ widely, as another example from one of the training courses illustrates. A military general in a civil-military course I was teaching put it this way: “the difference between human rights practitioners and the military is about our different understanding of objectives and processes. When I get an order to, for example, capture a certain bridge my main objective is the bridge. If I am working on an integrated approach with human rights practitioners, they want to know what is happening between the point that I set off from and the bridge. They call that process. What becomes of the bridge is my key objective; the process in between that is so important for human rights constitutes for me dealing with general objectives which means

<sup>6</sup> Lakhdar Brahimi chaired the committee that produced the Report of the Panel on United Nations Peace Operations, published in August 2000. Available at [www.un.org/peace/reports/peace\\_operations/docs/a\\_55\\_305.pdf](http://www.un.org/peace/reports/peace_operations/docs/a_55_305.pdf) (accessed 22 January 2010).

<sup>7</sup> See General Assembly Resolution 59/296, in section VI, paragraph 5 of which the Assembly stressed the need for increased cooperation between multiple actors both within and outside the United Nations. Available at [www.un.org/Depts/dhl/resguide/r59.htm](http://www.un.org/Depts/dhl/resguide/r59.htm) (accessed 22 January 2010).

<sup>8</sup> On file with the author.

accommodating needs and interests that contribute to slowing us down. Human rights practitioners working in conflict areas have to understand that their human rights processes define general objectives, not specific objectives and that therefore we cannot work together except in non-conflict situations.”

Hence, there is a clear need for more sustained attention to human rights as a part of conflict transformation, as the key component in the integrated mission leadership is usually military. Although the training is carried out for both human rights and conflict practitioners, in regard to implementation and identifying priority issues differences between both sets of practitioners remain. The military and law enforcement officers do tend to see civilians as being in the way of a conflict transformation process while the civilians see the military approach as largely insensitive and usually as a ‘violation’ approach.

In my opinion, much value would be added to the conflict transformation process if the human rights and conflict transformation practitioners (both civilian and military) were put in a position to transfer skills. This would include “skills in dialogue and non-violent mobilization so that the beneficiaries will have the tools to promote and negotiate for their rights in constructive ways” (Babbitt/Williams 2008, 10).

## 4. What Future for Human Rights in a Conflict Situation?

In lieu of a conclusion to this ongoing debate, I want to make the following suggestions for both sets of practitioners, which, while providing a way forward, also show the persistent contradictions that lead to the mutual stalemate.

1. Human rights practitioners tend to argue for the inclusion of human rights language in peace agreements, to contribute towards conflict transformation. In El Salvador, UN special representative Alvaro De Soto insisted on the inclusion of human rights into the peace process that proved, in this case, to be the foundation of a sustainable peace agreement. It must be kept in mind, though, that this does not always work out as successfully but can be counterproductive with respect to application and enforceability. Many countries may have ratified international human rights instruments but that does not mean they adhere to or enforce human rights laws.

For example, protracted proliferation of intra-state and inter-state conflicts has characterized the Democratic Republic of Congo (DRC). Various attempts to solve the conflicts have resulted in negotiated peace agreements. Key among the agreements is the Lusaka peace agreement of 1999. President Joseph Kabila has signed four peace agreements since the Lusaka agreements, culminating in the recent peace conference in Goma. Meanwhile, the death toll in the DRC is estimated to have reached the three million mark in 2006... In the DRC, the story has been one of a very fragile process and continuous resurgence of conflict, particularly in the Ituri, Katanga and the two Kivu regions.

In such a case, it is wiser for human rights practitioners to focus less on the inclusion of formal human rights provisions in peace agreements (especially if the peace agreements are ignored by those who sign them) and more on broader objectives that would achieve the same results, for example a ceasefire. Once this is done, human rights practitioners can then work on incorporating specific language into, for example, the constitution or statutes of the country, as well as on incorporating local dispute resolution mechanisms.

2. The UN implementation mandate takes into account human rights concerns. But there is a danger that human rights concerns for civilians will depend on the *interpretation of the mandate implementers*, who do not necessarily have a human rights background. It is therefore necessary to build and enhance institutional and individual capacities to support and enforce the human rights framework for working towards conflict transformation. Based on the dangers in a conflict area, there is logic in the current approach to integrated missions (described in some detail in *Section 3*); and in general, an integrated mission is a good option. Yet it is highly important that the missions clearly define and stress the importance of specific objectives for all members of the team.
3. Implementation of international human rights standards needs to be context-specific. Many of us working with western approaches and models of conflict transformation (including in the training that we carry out) do tend to assume that there were no alternative dispute resolution systems in existence before the war to judge human rights violators in the particular community. The *gacaca* courts in Rwanda may have their weaknesses, but the community has a sense of shared ownership in their processes. Both awareness and respect for traditional practices and participation of the local community are highly important.
4. Without an understanding of the “root causes” of a specific conflict, individuals and organisations making decisions regarding interventions, prescriptions, actions, etc. may only address the symptoms of the conflict that are seen on the surface. Building on Parlevliet’s iceberg, and to clarify *why* a sustained denial of human rights can become the cause of violent conflict, it is useful to link human rights and basic human needs through the illustration of the conflict onion (Fisher et al. 2000, 27).<sup>9</sup> In my practice, this has been useful not just for conflict analysis but also for an understanding of conflict transformation.

The conflict onion builds on the experience that in peaceful situations people relate and act on the basis of their actual needs (“what we have to have”). The lack of basic access to what we have to have lays the foundation for structural violence characterized by resentment, which does not necessarily translate into open conflict. As instability rises, people coalesce around collective interests (“what we want”) rather than needs. With the escalation of the conflict, people then withdraw to certain positions (“what we say we want”). The positions we demand at this point – possibly as part of conditions for a peace deal – have their roots in the dynamics of the conflict but may have little to do with actual needs. Working out the conflict issues (at the level of the various positions and interests) and the conflict causes (at the level of the interests and needs) from all positions helps in examining own needs, positions, interests and those on the other side.

5. Central to the idea of human rights principles is their workability as defined by the relationship between right holder and duty bearer. Duty bearers (governments, institutions and individuals) are obliged to respect, protect and fulfil human rights. Right holders are entitled to demand their own rights from duty bearers, but they also have to respect the rights of others. In a society that is restructuring itself from conflict, and in the absence of sound institutions, a lot depends on who wields power in these relationships and who polices them.

To give an example, a rights-based approach to conflict prevention may use a combination of support and pressure to urge government departments to conduct, for example, peace education and maintain peace, law and order. It supports people and organisations to demand a more

<sup>9</sup> The conflict layer model (or “conflict onion”) consists of concentric circles showing the needs, interests and objectives or positions of the individual parties to the conflict, from the inside to the outside. See also the 2001 GTZ practical guideline on conflict analysis for project planning and management, at [www.gtz.de/de/dokumente/en-conflictnalysis.pdf](http://www.gtz.de/de/dokumente/en-conflictnalysis.pdf).

peaceful context from the state in which to go about their day-to-day business. When it works well, a rights-based approach makes use of the standards, principles and approaches of human rights to tackle the power issues that lie at the root of the conflict to promote justice, equality and freedom. Yet in a conflict setting, this may become extremely difficult to put into practice: from whom do the people demand what is their due? How can they avoid just passively accepting whatever the junta/government/ruling militia is willing to give them?

The challenge for human rights organisations is that they mainly use the same tactics whether they work in peaceful societies (to promote and protect human rights) or in conflict societies. The traditional methods are mainly advocacy, investigation and monitoring, and human rights education (Putnam 2002, 264). In a conflict situation, the same methods are frequently used. This may include sending out reports that highlight the differences between what the state has signed up to and the real situation. But as my example on the DRC above indicates, the state being reported on may simply not be bothered. If this strategy has little or no impact in a conflict or post-conflict situation, new strategies must be found and human rights organisations are called upon to be more imaginative.


A new approach that would, in my view, help ensure effective complementarities between conflict and human rights practitioners would involve:

- Ensuring an appropriate legal framework that addresses both conflict and human rights.
- Recognizing the relevance of human rights obligations that are not necessarily based in (international) laws but that could be part of traditional practice and culture.
- Defining clear and specific objectives, expected results and responsibilities for all team members of integrated missions with a (complementary) human rights and conflict transformation agenda in mind.
- Promoting human rights principles as conflict transformation values, i.e. conflict transformation solutions can be founded on the basis of shared needs common to all people and well-understood interests which, depending on where you stand, are human rights concerns.
- Encouraging community participation and ownership of both the conflict transformation and human rights agendas; including identifying conflict transformation change agents from within the post-conflict society itself.

It has been argued that “the high degree of overlap between human rights and the goals of sustainable peace should be viewed as a source of mutual reinforcement [...] not confusion [...] or as a recipe for the probable diminution of human rights in the implementation process” (Putnam 2002, 264). This complementarity needs to be enhanced; and such enhancement will need more hard work from both human rights and conflict transformation practitioners.

## References and Further Reading

- Annan, Kofi 2005. *In Larger Freedom. Towards Security, Development and Human Rights for All*. Report of the Secretary-General of the United Nations for Decision by Heads of State and Government in September 2005. New York: United Nations. Available at [www.un.org/largerfreedom](http://www.un.org/largerfreedom).
- Babbitt, Eileen and Kristin Williams 2008. *Complementary Approaches to Coexistence Work: Focus on Coexistence and Human Rights*. Brandeis University, Waltham, MA. Available at [www.brandeis.edu/coexistence/linked%20documents/Coex%20and%20HR%20FINAL.pdf](http://www.brandeis.edu/coexistence/linked%20documents/Coex%20and%20HR%20FINAL.pdf).
- Bell, Christine 2000. *Peace Agreements and Human Rights*. [Reprinted 2005]. Oxford: Oxford University Press.
- Donnelly, Jack 2003. *Universal Human Rights in Theory and Practice*. 2<sup>nd</sup> edition. New York, NY: Cornell University Press.
- Fisher, Simon, Dekha Ibrahim Abdi, Jawed Ludin, Richard Smith, Steve Williams and Sue Williams 2000. *Working with Conflict. Skills and Strategies for Action*. London: Zed Books.
- Garcia-Sayan, Diego 1995. Human Rights and Peacekeeping Operations, in: *University of Richmond Law Review*, 29(3), 41-65.
- Gounden, Vasu 2007. Editorial: Peace Agreements in Africa, in: *Conflict Trends* 2007/3, 2. Available at [www.accord.org.za/downloads/ct/ct\\_2007\\_3.pdf](http://www.accord.org.za/downloads/ct/ct_2007_3.pdf).
- GTZ 2001. *Practical Guideline on Conflict Analysis for Project Planning and Management (Draft version)*. GTZ, Eschborn, August 2001. Available at [www.gtz.de/de/dokumente/en-conflictanalysis.pdf](http://www.gtz.de/de/dokumente/en-conflictanalysis.pdf).
- Heyns, Christof and Karen Steffiszyn (eds.) 2006. *Human Rights, Peace and Justice in Africa. A Reader*. Pretoria: Pretoria University Law Press.
- Juma, Monica, Rafael Velasquez Garcia and Brittany Kesselman (eds.) 2006. *Compendium of Key Documents Relating to Peace and Security in Africa*. Pretoria: Pretoria University Law Press.
- Little, David 1996. Protecting Human Rights During and After Conflict: The Role of the United Nations, in: *Tulsa Journal of Comparative and International Law*, 4(1), 87-97.
- Lutz, Ellen, Eileen Babbitt and Hurst Hannum 2003. Human Rights and Conflict Resolution from the Practitioners' Perspective, in: *The Fletcher Forum of World Affairs*, 27(1), Winter/Spring 2003, 173-193.
- Mahony, Liam 2003. Unarmed Monitoring and Human Rights Field Presence: Civilian Protection and Conflict Protection, in: *The Journal of Humanitarian Assistance* [online publication]. Available at <http://jha.ac/articles/a122.htm>.
- Mazurana, Dyan, Angela Raven-Roberts and Jane Parpart (eds.) 2005. *Gender, Conflict and Peace Keeping*. Lanham, MD: Rowman and Littlefield Publishers.
- O'Flaherty, Michael 2003. Future Protection of Human Rights in Post-Conflict Societies: The Role of the United Nations, in: *Human Rights Law Review*, 3(1), 53-76.
- O'Neill, William G. 2001. Gaining Compliance Without Force: Human Rights Field Operations, in Simon Chesterman (ed.): *Civilians in War*. Boulder, CO: Lynne Rienner Publishers, 93-121.
- Parlevliet, Michelle 2010. *Rethinking Conflict Transformation from a Human Rights Perspective*, in: Véronique Dudouet and Beatrix Schmelzle (eds.). *Human Rights and Conflict Transformation: The Challenges of Just Peace*. (Berghof Handbook Dialogue No. 9.) Berlin: Berghof Conflict Research, 15-46. Available at [www.berghof-handbook.net](http://www.berghof-handbook.net).
- Parlevliet, Michelle 2002. Bridging the Divide – Exploring the Relationship between Human Rights and Conflict Management, in: *Track Two*, 11(1), 8-43.
- Power, Samantha and Graham Allison (eds.) 2006. *Realizing Human Rights. Moving from Inspiration to Impact*. Basingstoke: Palgrave Macmillan.

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- Putnam, Tonya L. 2002. Human Rights and Sustainable Peace, in: Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens (eds.) *Ending Civil Wars: The Implementation of Peace Agreements*. Boulder, CO: Lynne Rienner Publishers, 237-272.
- Sen, Amartya 1982. *Poverty and Famines: An Essay on Entitlements and Deprivation*. Gloucestershire: Clarendon Press.
- Sriram, Chandra Lekha and Zoe Nielsen (eds.) 2004. *Exploring Subregional Conflict: Opportunities for Conflict Prevention*. New Delhi & Boulder, CO: Viva Books Pvt. Ltd. & Lynne Rienner Publishers.
- Vienna Declaration and Programme of Action* 1993, adopted by the World Conference on Human Rights, Vienna 25 June 1993. Available at [www2.ohchr.org/english/law/vienna.htm](http://www2.ohchr.org/english/law/vienna.htm).

[All weblinks accessed 23 February 2010.]

## About the Author

**Alice Nderitu** is currently appointed commissioner in Kenya's national cohesion and integration commission, which was created as one of the mechanisms to address Kenya's 2008 post-election crisis. While writing the contribution to this Dialogue, she was the director for Education for Social Justice (ESJ) with Fahamu, a non-governmental organisation dedicated to the strengthening of human rights and social justice movements (see [www.fahamu.org](http://www.fahamu.org) and [www.pambazuka.org/en](http://www.pambazuka.org/en)). She has worked previously as a journalist, a teacher and as programme head on education and media programmes at the Kenya National Commission on Human Rights and the Prisons. A Nairobi University graduate with degrees and diplomas in Human Rights, Management, Literature, Armed Conflict and Peace Studies, she specializes in training on human rights, peace and conflict. She also is experienced in the development of curriculums, information, education and communication materials. She has developed training materials for and trained UN agencies, civil society organisations, law enforcement and military officers at the International Military Peace Support Training College and the Rwanda military academy, the South Sudan Human Rights Commission, the Ethiopian Human Rights Commission as well as Ethiopian, Kenyan, Ugandan and Zimbabwean civil society. She is also a trainer in the University of Pretoria's Good Governance courses.

## See also...

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