Full Text of Initial Project Proposal

> *Self-determination is one of the most important principles of contemporary international law and international relations, without it, human rights and fundamental freedoms suffer. Equally important is respect for territorial integrity and political unity of states: without it, a cornerstone of the international order is destroyed, and states fragment ... A balance has to be struck between them.[1]*

A.   Self-determination and Territorial Integrity: A Clash that Cannot be Resolved?

The apparent promise of the principle of self-determination was famously stated by Judge Dillard of the International Court of Justice at The Hague: *"It is for the people to determine the destiny of the territory and not the territory the destiny of the people,"* he wrote in the context of the Western Sahara Advisory Opinion of the Court.[2] Of course, as many generations of individuals struggling for their perceived right of self-determination have found, the promise of self-determination was stated with deceptive simplicity by Judge Dillard. In reality, self-determination only provided for an entitlement to independence for certain kinds of 'peoples'. Such peoples are indeed defined through their appurtenance to a given territory.[3] And the territories carrying with them the entitlement to self-determination were narrowly identified as colonies in the traditional sense. This view was only broadened to cover instances of secondary colonialism (Western Sahara and East Timor), racist regimes (South Africa/Namibia) and alien occupation (Palestine).

While this narrowly conceived self-determination rule contributed to the management of the decolonization process, it could not offer a way of resolving other conflicts about the creation of statehood against the wishes of an existing central government. Nevertheless, secessionist movements outside of the colonial context sought to invoke the rhetoric of self-determination. Central governments, on the other hand, could rely on the doctrine of territorial unity to preserve the territorial integrity of the states they represented, at times through violent means. In some instances, this resulted in the defeat of secessionist movements (Biafra), in many other cases, a prolonged and seemingly endless struggle commenced, taking its toll on the population of the states concerned and on their development. Several of these conflicts are active to this day (e.g., Sri Lanka (Tamils), India (Kashmir and others) Indonesia (Aceh, Moluccas), Burma (various groups including Shan, Karen, Mon), Iraq-Iran-Syria-Turkey (Kurds), etc).

The dissolution of the Soviet Union and of the Socialist Federal Republic of Yugoslavia revived the hopes of those struggling for independent statehood. Secession seemed possible after all. However, both of these episodes were managed by governments and international organizations in a way which would not lead to a broader reading of the entitlement to self-determination. After the initial resistance to the claims to independent statehood of the Baltic republics, the Soviet Union collapsed altogether and was dissolved with the agreement of the central authorities.[4] The independence of Croatia and Slovenia, and then of Bosnia and Herzegovina and Macedonia, was explained with reference to the federal structure of Yugoslavia. As the majority of the republics

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[1] Sir Arthur Watts, 'The Liechtenstein Draft Convention on Self-Determination Through Self-Administration', in Wolfgang Danspeckgruber and Sir Arthur Watts, *Self-Determination and Self-Administration: A Source Book*, Lynne Rienner Publishers, 1997, p.26

[2] 1975 ICJ 122.

[3] See, e.g., Lee C. Buchheit, *Secession. The Legitimacy of Self-Determination*, Yale University Press, 1978; Antonio Cassese, *Self-Determination of Peoples*, Grotius (Cambridge University Press), 1995; Wolfgang Danspeckgruber with, Arthur Watts (ed.), *Self-Determination and Self-Administration*, Lynne Rienner Publishers, 1997; Morton H. Halperin & David J. Scheffler with Patricia L. Small, *Self-Determination in the New World Order*, Carnegie Endowment for International Peace, 1992; Hurst Hannum, *Autonomy, Sovereignty, and Self-Determination. The Accommodation of Conflicting Rights*, University of Pennsylvania Press, 1990; W.J. Allan Macartney (ed.), *Self-Determination in the Commonwealth*, Aberdeen University Press, 1988;, Thomas D. Musgrave, *Self-Determination and National Minorities*, Clarendon Press, 1997; W. Ofuatey-Kodjoe, *The Principle of Self-Determination in International Law*, Nellen Publishing Company, Inc., 1977; Kurt Rabl, *Das Selbstbestimmungsrecht der Völker*, Böhlau Verlag, 1973; Rigo A. Sureda, *The evolution of the right of self-determination. A study of United Nations Practice*, Sijthoff, 1973; Christian Tomuschat (ed.), *Modern Law of Self-Determination*, Martinus Nijhoff Publishers, 1993; Wilson, Heather A., *International Law and the Use of Force by National Liberation Movements*, Clarendon Press, 1988.

[4] Similarly, Eritrea obtained statehood after the central authorities agreed to such a step, subject to a referendum; Czechoslovakia was dissolved by agreement.

no longer participated in the federation, the overall state structure had literally disappeared, it was asserted. Hence, this was not really a case of opposed unilateral secession. In addition, it was pointed to the fact that the Yugoslav constitution actually appeared to grant a right to self-determination to its constituent republics. Hence, it could be argued that no new precedent in favour of a right to unilateral opposed secession had been established. Instead, the republics had merely exercised rights granted to them by virtue of internal, rather than international law.

The Yugoslav episode engendered a new scholarly debate about the nature and meaning of the right to self-determination.[5] However, the limited nature of the Yugoslav 'precedent' in actual practice was soon made evident in the case of Chechnya. That entity, too, could claim a federal status in the Russian Federation. However, that federal structure had not been deserted by a large number of its constitutent republics and there was no positive right of self-determination for republics contained in the federal constitution. In consequence, from the perspective of the international community, there was no case for self-determination.

The case of Chechnya highlighted once again the basic truth about discourse on self-determination claims outside of the colonial context. Unless the central government readily gives in and consents to the divorce of a significant part of the state territory, there exist no remedies through which to mediate self-determination claims. Secessionist groups will be considered rebels within the state.

At the international level, the doctrine of non-intervention has traditionally precluded significant efforts at mediating self-determination disputes. Thus, in the absence of any international remedies, the Chechnya episode was characterized once more by violent discourse between a secessionist entity and the centre. Little, it appeared, had changed over the thirty odd years that had passed since the Biafra conflict that was marked by similar violence and the absence of effective international mechanisms to engage the conflict.

Of course, violence rarely solves self-determination conflicts. Instead, both sides tend to fall into a pattern of violence and counter-violence. This deadlock soon takes on the appearance of an inevitable evil with which the respective society has to deal somehow. However, with the termination of the Cold War, a new impetus was generated towards the settlement of conflicts. This impetus first extended to genuine Cold War conflicts that were not of a secessionist character, such as the interventions and counter-interventions in Central America, Cambodia, Afghanistan, Mozambique and Angola. The termination of the Cold War also facilitated the transformation of South Africa and the independence of Namibia.

This overall development generated a climate conducive to attempts to break through other long-standing cycles of violence, including some of the most long-running and bloody self-determination conflicts. These developments will now be considered briefly.

B.   Recent Practice Evidencing Novel Approaches

Given the increasing emphasis on democratic governance as a fundamental human right, ethnic group claims for self-determination should ideally be accommodated in a democratic framework within existing states ... Power sharing. Defined as practices and institutions that result in broad based governing coalitions generally inclusive of all major ethnic groups in society, can reconcile

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[5] S. James Anaya, A Contemporary Definition of the International Norm of Self-Determination, 3 *Transnational Law and Contemporary Problems* (1993) 132; Berman, Nathaniel, Sovereignty in Abeyance: Self-Determination and International Law, *7 Wisconsin International Law Journal (1988)* 52; Lea Brilmayer, Secession and Self-Determination: A Territorial Interpretation, 16 *The Yale Journal of International Law* (1991) 177; James Crawford, State Practice and International Law in Relation to Secession, 96 *The British Year Book of International Law* (1999) 85; Michael Eisner, A Procedure Model for the Resolution of Secessionist Disputes, *33 Harvard International Law Journal* (1992) 407; Hurst Hannum, Rethinking Self-Determination, 34 *Virginia Journal of International Law* (1993) 1; Martti Koskenniemi, National Self-Determination today: Problems of Legal Theory and Practice, *43 International and Comparative Law Quarterly* (1994) 241; Robert McCorquodale, Self-Determination: A Human Rights Approach, 43 *International and Comparative Law Quarterly* (1994) 857; Stefan Oeter, Selbstbestimmungsrecht im Wandel, 52 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* (1992) 741; Danie Turp: Le droit de sécession en droit international public, XX *The Canadian Yearbook of International Law* (1982) 24.

principles of self-determination and democracy in ethnic multiethnic states, principles that are often perceived to be at odds.[6]

Power sharing itself is of course not an entirely new concept. In the classical international system, territorial disputes would at times be settled through joint authority systems (condominium), for example in the instance of the New Hebrides.[7] Internationalized territories or territories enjoying an otherwise special status, also required complicated arrangements for the exercise of public authority. The international city of Danzig or the Tangiers territory provide convenient examples. There also exists practice of the provisional international administration of territories, going back as far as the League of Nations era (Leticia, Saar), and extending into more recent practice.[8]

The post Cold War transition has now manifested itself in a significant number of new initiatives. Agreement was finally obtained to settle the Western Sahara and the East Timor questions and at least the latter has now been implemented.[9] Fresh attempts (thus far not successful) were made to address the Cyprus question. The Downing Street Declaration and the Good Friday Agreement suddenly appeared to make a peaceful settlement of the Northern Ireland question possible. A whole series of Accords between Israel and the PLO raised the prospect of a settlement of the Palestinian question. In Bougainville, a very complex situation was at least temporarily resolved with international involvement through agreement. Similarly, the 1998 Noumea Agreement stabilized the situation in New Caledonia.[10]

These positive developments were somewhat counter-balanced by the emergence of extremely violent ethnopolitical conflict, also in Europe. These conflicts had a strong self-determination dimension, resulting in the provisional establishment of a Serb and a Croat state-like entity in Bosnia and Herzegovina and the attempt to integrate into a Greater Serbia parts of Croatia. In Georgia and other parts of the former Soviet Union, ethnopolitical violence was also pursued with the aim of achieving territorial change.

In relation to both the former Yugoslavia and the former Soviet Union, international intervention resulted in provisional political settlements. The Dayton agreement on Bosnia and Herzegovina yielded a very complex new structure for that troubled state. An attempt was made at the Rambouillet Conference of March 1999 to achieve agreement on a political settlement for Kosovo. Following the armed confrontation with Yugoslavia after the collapse of that effort, the United Nations is now imposing its own interim political arrangement for Kosovo. CIS peace-keeping with strong Russian involvement in Georgia (Abkhazia and South Ossetia) and Moldova (Transnistria) also resulted in political agreements in relation to these territories.

One might classify these cases according to four categories. There are cases of constitutional reform, instances or international transitional regimes, instances of internationalized constitutional reconstruction through peace-keeping, and finally instances of complex peace settlements involving power-sharing.

Constitutional reform: A number of states have attempted to address ethnic tension or conflict through reform from within. Such attempts will generally shift public decision making power from the centre to the local or regional level. At times this will take the form of autonomy arrangements, in some cases even federal-type arrangements.[11] Cases reflecting this practice are as diverse as those of Canada, Spain, the United Kingdom, Fiji, Sri Lanka, India, Philippines, Indonesia, and even Burma (Myanmar). The Canadian case even contributed important jurisprudence on self-determination and the possibility of secession. [12]

International transitional regimes: Interesting practice has also been added in the area of direct international administration. The cases of Namibia, Cambodia, Eastern Slavonia and now of Eastern Timor have provided new examples of the temporary exercise of state authority through international institutions. International operations in Bosnia and Herzegovina and Kosovo also involve aspects of international administration.

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[6] Timothy D. Sisk *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996, p. vii

[7] Now independent (Vanuatu).

[8] E.g., West Irian, Namibia, Cambodia, etc.

[9] Alas, this agreement was implemented with considerable violence, triggering the deployment of a large-scale United Nations peace-keeping mission with enforcement elements.

[10] A fuller list of cases is presented in the annex to this document.

[11] Ironically, the EU explanation of the Yugoslav case as one of 'constitutional' self-determination had a dangerous impact on attempts to negotiate federal-type solutions, as it was now thought that a federal status would render an entity into a self-determination entity and thus entitle it to secession.

[12] *Reference re Secession of Quebec*, File No. 25506,

Peace-keeping practice: Another type of cases relates to assistance given by the United Nations and/or regional organization in the reconstitution of civil society in the wake of protracted conflict through complex peace-keeping. In such instances, the international bodies involved will attempt to help implement an agreement for a new constitutional settlement reached by the parties to a civil conflict through international mediation (Anola, Mozambique, Central African Republic, Liberia, Sierra Leone, Rwanda, Central America, Haiti, etc.). In a few of these cases, the international organizations involved may move from supporting an agreement into attempting to reconstruct civil society directly, as was done with disastrous effect by UNOSOM III in relation to Somalia.

Peace Settlements with International Dimensions: Another important element of practice relates to actual settlements of self-determination conflicts, which will generally have involved prolonged armed confrontation between the parties, through complex power-sharing arrangements. This practice is new in several respects. First of all, it admits to international involvement in the negotiation and settlement of a dispute which states would hitherto have claimed strongly to lie within their exclusive domestic jurisdiction. Secondly, the settlement will tend to address the self-determination issue, either by resolving it through an express trade (power sharing for continued territorial integrity—Northern Ireland) or by hoping to suspend the self-determination issue itself and gradually reduce its significance through the experience of power sharing (Bougainville, Kosovo). Again, the involvement of international actors in the implementation phase also constitutes a novel element. Moreover, the compexity of the layering of public authority at a variety of levels in many of these cases (the best example being Northern Ireland) adds an entirely new dimension to power sharing.

Overall, therefore, there now exists considerable practice of the international engagement of conflicts through power sharing. Conflicts with a self-determination dimension have strongly featured in all four of the approaches listed above. As comparative constitutional studies have already been mounted, and as peace-keeping and transitional international regimes have already attracted a significant amount of scholarship, this project will focus on the important new initiatives that have been adopted in internationalized peace-settlements involving power sharing.[13]

C.   The Limitations of Present Literature

> *'The principle assumption underlying power sharing theory is the belief that appropriate political engineering can help construct a democratic political system capable of withstanding the centrifugal tendencies that tear deeply divided societies apart.'[14]*

The achievement of sustained liberal democratic systems within deeply divided societies is inherently difficult. Simple majoritarian democracy, typified by the Westminster system of simple plurality, analytically presents several problems. Primarily, however, there is the possibility of permanent exclusion of minority groups based political parties from office and decision making procedures. Indeed the very nature of divided societies necessarily means that there is a lack of 'floating voters' whose preferences are formed by criteria other than ethnicity. In this way the political process is continually hampered due to the pervasivness of ethnicity over all other issues.[15] Minorities will often equate democracy not with freedom or participation but with the structured dominance of a particular group. Permanent minorities such as the Tamils in Sri Lanka or the Catholics in Northern Ireland see the consequence of majority voting as continued discrimination against them. In this sense simple plurality elections in deeply divided societies are perceived as zero sum games or as winner take all contests. Power sharing practices offer an alternative to simple majoritarian practices of democratic governance. The vast majority of advocates of power sharing thus agree on the dangers of majoritarianism.[16]

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[13] *See* the section which follows.

[14] Timothy D. Sisk *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996, p. 77.

[15] Timothy D. Sisk *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996, p.32.

[16] Lijphart for instance is amongst the harshest of the critics, identifying the core problem of majoritarian systems as being one of 'majority dictatorship'. See Arend Lijphart, *Power Sharing in South Africa*, Policy Papers in International Affairs No.24. Institute for International Studies, University of California, Berkeley, 1985, p. 102. See also Arend Lijphart *Democracy in Plural Societies*, Yale University Press, 1977, pp.114-118; Arend Lijphart 'Majority Rule versus Consociationalism in Deeply Divided Societies', *Politikon*, December 1977, pp. 113-126; Alvin Rabuska and Kenneth Shepsle *Politics in Plural Societies: A Theory of Democratic Instability,* Charles E. Merrill, 1972, Donald Horowitz, *Ethnic Groups in Conflict*, University of California Press, 1985, pp. 629-630; Donald Horowitz, 'Democracy in Divided Societies', *Journal of Democracy*, 4(4), pp. 18-38; David Welsh 'Domestic Politics and Ethnic Conflict', in *Ethnic Conflict and International Security*, Michael Brown (ed.), Princeton University Press, 1993;Milton Esman, *Ethnic Politics*, Cornell University Press,

The term power sharing implies as a set of principles that, when carried through practices and institutions, provide a means of achieving some level of inter-group coexistence that is consensual rather than divisive. Thus crucial to any successful power sharing arrangements in deeply divided societies characterised by 'ethnic affiliations that are powerful, permissive, passionate and pervasive',[17] are processes of bargaining and reciprocity. Having said this there are two broad, but distinct, approaches to power sharing as a means of constructing tentative democracy in divided societies. Firstly there is the consociational approach, which relies on accommodation by ethnic group leaders at the centre and a high degree of group autonomy.[18] Secondly there is the integrative approach, which seeks to create incentives for moderation by political leaders on divisive ethnic themes and to enhance minority influence in decision making.[19] An important point to establish is that both of these approaches can lead to power sharing.[20] Which approach is best in any given circumstance must however be seen as highly contingent on the patterns and dynamics of the particular conflict.

Consociationalists argue that even if there are deep communal differences, overarching integrative elite co-operation and joint problem solving in post election coalitions is a necessary and sufficient condition to assuage conflict. In this way Lijphart suggests that consociation relies on four basic principles: a broad based 'grand' coalition executive, minority veto, proportionality in the allocation of public funds and civil service positions, and group autonomy.[21] In the same vein, Eric Nordlinger argues that 'elites alone can initiate, work out and implement conflict regulating practices, therefore they alone can make direct and positive contributions to conflict regulating outcomes.'[22] In the consociational approach elites directly represent the various societal segments and act to forge political ties at the centre. Here the role of leaders to persuade their constituents to act peaceably at such times is therefore crucial, and that conciliatory attitudes must be both broad (including hard-liners), and deep (to include the public as well). In this sense the consociational approach is in essence top down, yet Lijphart consistently asserts that consociation is the only viable option for deeply divided societies.[23]. Advocates of consociation find the notion of nation building, as advocated by integrative theorists such as Horowitz, a dubious proposition often citing the salience and rigidity of ethnic identity. Critics of the consociational approach argue that it is overly reliant upon elite accommodation when the problem is often elite initiated, and that institutionalises ethnicity.[24] Indeed one could argue that the reasons behind the break up of Yugoslavia were not ethnic hatreds but rather because of elite mobilisation of latent nationalism. Barry has also suggested that by freezing group boundaries a consociational power sharing system becomes essentially an un-dynamic model of conflict management.[25]

In contrast to consociational theorists, Horowitz has argued that the likelihood of violent conflict is alternatively reduced more effectively by institutions and practices that create incentives for the formation of pre-election coalitions and that encourage intra-group competition rather than inter-group competition.[26] The key

1994, Hurst Hannum, 'The Limits of Sovereignty and Majority Rule: Minorities, Indigenous People and Rights to Autonomy', in *New Directions in Human Rights*, Ellen Lutz, Hurst Hannum, and Kathryn J. Burke, (eds.), University of Pennsylvania Press, 1989.

[17] See Donald Horowitz, *Ethnic Groups in Conflict*, p. 12.

[18] The consociational model is best associated with Arend Lijphart. See Lijphart *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*, University of California Press, 1968; Lijphart, 'Consociational Democracy', *World Politics*, January 1969, pp. 207-225; Lijphart *Democracy in Plural Societies*, Yale University Press, 1977, see also Kenneth McRae (ed.) *Consociational Democracy: Political Accommodation in Segmented Societies*, McLelland and Stewart, 1974.

[19] The integrative approach to power sharing is often associated with Donald Horowitz. See Donald Horowitz, *Ethnic Groups in Conflict*, University of California Press, 1985; Donald Horowitz, 'Making Moderation Pay', in Conflict and Peacekeeping in Multiethnic Societies, Joseph Montville (ed.), Lexington Books, 1990; Donald Horowitz, 'Democracy in Divided Societies', *Journal of Democracy*, 4(4), pp. 18-38

[20] Timothy D. Sisk *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996, p.47-75

[21] Arend Lijphart, *Democracy in Plural Societies*, p. 25

[22] Eric Nordlinger, *Conflict Regulation in Divided Societies*, Centre for International Affairs, Harvard University, 1972, p.73

[23] Lijphart cites the examples of several successful consociational democracies including – Belgium, the Netherlands and Switzerland, Lebanon (1943-1975). See Arend Lijphart, *Democracy in Plural Societies*

[24] See for example the arguments of George Tsebelis 'Elite Interaction and Constitution building in Consociational Democracies', *Journal of Theoretical Politics*. 2(1), pp.5-29

[25] Brian Barry, 'Political Accommodation and Consociational Democracy', *British Journal of Political Science*, October 1975, pp.477-505

[26] Donald Horowitz, *Ethnic Groups in Conflict*, p.14

underpinning of Horowitz's integrative approach is that elites must be given incentives to appeal outside of the primary and narrowly defined constituencies. For Horowitz a combination of integrative institutions and accommodation inducing policies will engender broad-based moderation by political leaders. Thus the solution is to design an electoral system so that leaders must appeal to underlying moderate sentiments in the electorate and shun the forces of extremism. In this way office seekers by appealing to the most moderate sentiments in the electorate, maximise moderation at both the elite and popular level. In order to safeguard minorities, Horowitz argues that the system should make minority members count. Minority members should have more than representation, they should have influence. Horowitz suggests that three institutions and practices have these effects: federalism, vote pooling, and the presidential system

The consocialist/integrationalist debate fails to acknowledge two core aspects of what can be labled 'new' approaches to *complex* power sharing. Firstly, as noted, it is important to regard both approaches as attempts at power sharing in order to ameliorate conflict. Yet at the same time it must also be realized that they are not rigid approaches and that a mix can be found between the two. Secondly it is also vital to recognize the continually increasing international dimension to power sharing.

Contemporary sophisticated efforts at conflict management will often experiment with both approaches (consociational and integrative) and the final proposal may well end up being a mixture of the two.[27] Indeed both of the approaches cite the same three variables as being of crucial importance: (1) territorial division of power, (2) decision rules and (3) public policy. In this sense, and as will be seen through enquiry, such a delimitation of power sharing arrangements into two such distinct categories is unhelpful. With regard to 'new' complex power sharing arrangements, policy makers instead focus upon what power sharing approach or *mixture* of approaches offers the best hope of ameliorating a given ethnic conflict. Indeed the long standing cases of Israel-Palestine and Northern Ireland are particularly indicative of such a mixed complex appraoch.

Secondly, international intervention to promote power sharing is a defining feature of many 'new' complex power sharing arrangements. Power sharing practices can emerge internally and be adopted by parties often in a direct response to violent conflict; pragmatic perceptions may emerge from the belief that failure to accommodate may precipitate widening strife. Nordlinger, in his seminal 1972 investigation into what drives pragmatism into ethnic conflict identified four motives that might lead political leaders too accommodate: (1) the existence of a common external threat, (2) recognition that conflict detracts from economic well being, (3) the drive for power when incentives are so structured, and (4) the avoidance of bloodshed or suffering.[28] However an additional common and critical feature that should now be added to Nordlinger's list is the increasing level of international involvement, both in the mediation of conflict, and in the implementation of power sharing arrangements.[29] Indeed, as noted at the outset, in addition to a protracted conflict concerning self-determination, a common feature of all the 'new' cases studied here is the level and extent of international involvement.

International intervention in the cases studied here includes: acts of mediation, involving helping the parties analyse the nature of their conflicts; introducing formulas and options, wielding sticks and offering carrots to induce parties to accept solutions; exercising power to create conditions conducive to a settlement; helping implement agreements; and even enforcing them.[30] In particular international involvement often places a significant emphasis on democratic elections. However, it should be noted, often without considering their potentially adverse potential.[31] Elections can both harmonise and bring national unity or they can destabilise and polarise. Nevertheless the type of electoral system chosen is necessarily critical, along with the monitoring

[27] In a contemporary sense the several attempts to resolve the conflict in Bosnia utilised both consociational and integrative theory. For instance The Vance-Owen plan which was based on the principles of balance, rotation, integration and non-discrimination included both elements of consociational and integrative mechanisms in the same package. Some older power sharing arrangements, such as those in Malaysia and Lebanon, also contained elements of both the consociationalist approach and the integrative approach.

[28] Eric Nordlinger, *Conflict Regulation in Divided Societies*, Centre for International Affairs, Harvard University, 1972, pp. 42-53

[29] See Rodolfo Stavenhagen, *Ethnic Conflicts and the Nation State*, Macmillan Press, 1996, pp. 203-226; Ted Gurr and Barbara Harff, *Ethnic Conflict in World Politics*, Westview Press, 1994; Robert Cooper and Mats Berdal 'Outside Intervention in Ethnic Conflict' in *Ethnic Conflict and International Security*, Michael Brown (ed.), Princeton University Press, 1993

[30] See Jacob Bercovitch, 'International Dispute Mediation: A Comparative Empirical Analysis', in *Mediation Research*, Kenneth Kressel, ed., 1989, Jacob Bercovitch, Mediators and Mediation Strategies in International Relations', *Negotiation Journal*, 8(2), 1992; Saadia Touval and I. William Zartman, eds., *International Mediation in Theory and Practice*, Westview Press, 1985

[31] The early elections conducted by the OSCE in Bosnia are a case in point

process, and its implementation. Aside from emphasizing the importance of electoral systems an attempt has been made to use linkages to other issues such as membership of collective security organisations, trade etc. the international community as a means to encourage or gently coerce the implementation of ethnic accommodation. This process was taken further in the case of Kosovo, where NATO went as far as to threaten the Federal Republic of Yugoslavia with force during the Rambouillet peace talks aimed at bringing settlement to the dispute between the Serbs and Kosovars over the region of Kosovo. These tactics can also be seen as preventative diplomacy. The promotion of power sharing is riddled with normative considerations – the potential of rewarding aggression or appeasing violence, of having to choose sides.

The key difficulty with international efforts at promoting power sharing is that at an early stage parties may be unwilling to embrace such practices because they are not sufficiently desperate or feel insufficiently compelled. As Sisk has noted 'determining when a conflict is ripe for a power sharing solution is at best a difficult judgement call requiring intimate knowledge of a situation, especially of the true predisposition of the parties and their willingness to live together within a common or shared political framework'.[32] Indeed any misjudgement can set the stage for a renewal of violent conflict, the time of negotiation having been utilised for rearmament etc. Successful international interventions in ethnic conflict have been premised on a much better understanding of the underlying ethnic dynamics. On the contrary unsuccessful ones such as Somalia have been the result of the fact that the UN had no clear vision of what kind of post-intervention Somali state should be created. For these reasons a comparative assessment of this key feature of new complex power sharing arrangements is of particular importance.

Analysis of the international dimension of complex power sharing is overdue. The impact of international involvement has of course been covered at the individual case study level, and there also exists a body of theoretical literature focusing international involvement. Moreover, international involvement is, of course, not entirely novel in the resolution of self-determination disputes, however the impetus since 1989 has been such as to warrant fresh comparative research. However, once again there is a comparative gap in the current literature concerning a compartive study relating to international involvement in complex power sharing arrangements. However it should be kept in mind that each case of ethnic conflict is unique occurring in its own set historical developments and thus any effort to generalise across cases is a hazardous process.[33]

As was indicated above, the aims of this project are not to address either the much broader issue of the optimal form of constitutional design for all divided societies, or classic cases of autonomy arrangements.[34] Instead, the aim of the research would be to build upon recent studies concerning international involvement in cases of self-determination and power sharing. Central in this regard would be the Carnegie Corporation funded Minorities at Risk Project, Liechtenstein Projects on self-determination and the recent Conference on Constitutional Design at University of Notre Dame.

The Minorities at Risk Project offers a very useful set of global data on conflict and self-determination and the status of attempts to resolve such conflicts.[35] It also assists in establishing a classification of the stages in the development of conflict resolution activities.

The Lichtenstein effort attempted to highlight the fact that autonomy regimes can provide an alternative to self-determination claims directed at secession. To this end, it reviews a very wide ranges of cases, circumstances and approaches.[36] Sir Arthur Watts, a key participant in that project, argues that self-determination is not coterminous with independence. He suggests that this not only follows from the term itself (which suggests only that the beneficiary has the right to choose its own destiny, but not that the choice has to be exercised in any

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[32] Timothy D. Sisk *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996, p. xiii

[33] See Rodolfo Stavenhagen, 'Reflections on Some theories of Ethnic Conflict', *Journal of Ethnopolitical Development*, 1994, 4(1), pp. 15-19

[34] This area has also been comprehensively covered elsewhere see Hurst Hannum, *Autonomy, Sovereignty and Self-Determination*, University of Pennsylvannia Press, 1989, Hurst Hannum, *Documents on Autonomy and Minority Rights*, Martins Nijhoff Publishers, 1993; Hurst Hannum and Richard B. Lillich 'The Concept of Autonomy in International Law', *American Journal of International Law*, Vol. 74, 1980; Ruth Lapidoth, *Autonomy – Flexible Solutions to Ethnic Conflicts*, United States Institute for Peace Press, 1997; This approach will therefore exclude the cases studied by these works such as the Aaland Islands, the Faroe Islands, Greenland, and older attempts to resolve the Israel-Palestine dispute.

[35] www.bsos.umd.edu/cidcm/mar/autonomy.htm.

[36] Wolfgang Danspeckgruber & Arthur Watts, eds., *Self-determination and Self-Administration—A Sourcebook*, Lynne Rienner Publishers, 1997.

particular way) but also from practice within the UN. Watts goes on to maintain that the permissibility of self-determination leading to situations other than full independence is in particular recognised in the General Assembly Resolutions 1541 (XV)(1960) and 2625(1970) (the so-called Friendly Relations Declaration).[37] To highlight this fact, the project resulted in the drafting of a convention which has had some influence on the debates in the United Nations General Assembly.[38]

The Notre Dame project, culminating in an important conference in December 1999, also casts its nets far wider.[39] The projects offers important contributions on three fronts. It offers new global theoretical assessments on democracy and state building in divided societies. More specifically, the project considers globally some individual aspects of power sharing (e.g., electoral issues). Finally, the project contributes a number of case studies of constitutional engineering (Fiji, Nigeria, Indonesia, etc).

This project adds to these initiatives in several respects. In its start-up phase, it will seek to consolidate the findings made thus far in relation to internal constitutional reform as a way of overcoming self-determination conflicts and in relation to transitional power sharing arrangements implemented in a peace-keeping context. These findings will inform the project when it addresses the narrower area of complex peace settlements or power sharing arrangements. However, the project advances upon the work done thus far in providing an in depth analysis of the eight most relevant cases in this area. Crucially, these case studies will not be performed in a disconnected way, but according to a common structure. This will facilitate the novel, second part of the project, which is the first truly comparative and structural analysis of highly complex power sharing across all of these cases. This project is also distinguished by the fact that it considers not only the relevant settlements or power-sharing arrangements, but that it also draws upon implementation practice. A special effort will be made through field trips to the relevant countries and interviews with officials of international implementation agencies to make available the actual experiences on the ground for the analysis.

Overall, therefore, this project offers the opportunity to explore for the first time a specific type of power sharing arrangement designed to overcome otherwise unresolvable self-determination conflicts, based on in-depth case research and an overall structural analysis. This aim, and the methodology adopted towards achieving it, will now be discussed at greater length in the next section of this proposal.

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[37] Id., from p. 21.
[38] Id., at p. 36.
[39] Such issues were considered recently at the *Constitutional Design 2000* Conference at Kellogg Institute for International Studies, University of Notre Dame, 9-11 December, 2000, in addition a useful study also already exists in this regard see Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996.

II.   Objectives of the Project and Project Design

        A.   Aims of the Project

As was noted above, this project seeks to document and analyze novel practice in the settlement of self-determination disputes and conflicts through complex power sharing with international involvement. The project will be conducted by an inter-disciplinary team of experts in law, governance and political science. The project design provides for a case-study phase and an analytical phase. However, it is very important that the case-study phase is designed from the outset to feed into the analytical phase. Hence, the common structural issues to be revealed through the case studies will be identified at the outset of the project and the case-studies will be written according to a common structure reflecting these structural issues. To this end, the project will:

- Make available a collection of materials evidencing the different models of power sharing provided in the relevant cases;

In order to facilitate the analysis that is to follow, it is necessary to document the experience of the individual cases in some detail. This includes a background summary of the actual conflict that was addressed, the assembling of all texts connected with a peace agreement or power sharing arrangement and the collection of subsequent materials documenting the initial phase of implementation. This collection of materials will not only be of use to researchers for this particular project, but may also assist others seeking to study power sharing arrangements. Moreover, it can serve negotiators in other cases by providing concrete examples of how to address particular contentious issues.

- Provide a critical analysis of the individual cases, including implementation practice where available;

Each of the individual cases will need to be studied in depth, to understand the particularities of the situation that has been addressed and the specific design of the solution that was adopted in relation to it. The case studies will be of significant value in themselves, and will be published at the head of the relevant materials that have been assembled.

- Develop from the case studies a structural analysis of issues that are being addressed in all of the relevant agreements or arrangements;

The case studies themselves will be organized around common structural issues. In this way, the case study presentation will facilitate the comparative analysis that will be conducted during the second year of the project. The aim of this analysis is to identify across all case studies the differing approaches that have been adopted in the agreements in relation to issues which typically arise in all cases of self-determination disputes. The effectiveness of these approaches will be evaluated and conclusions will be drawn as to the transferability of particular solutions from one type of case to others.

- Develop from this structural analysis lessons for the resolution of self-determination conflicts that may be applied to other, as yet unresolved cases.

The overall aim of this project is to demonstrate that even apparently unresolvable self-determination disputes can be addressed constructively. More specifically, the project hopes to offer guidance highlighting conceptual solutions to the issue of self-determination itself. That is to say, the project will identify the ways that have been found to escape from a self-determination discourse that cannot be resolved through means other than victory of the one side or the other.

B.   Selection of Case Studies

The selection of the case studies is limited by a number of considerations. First, the project will only consider recent cases; earlier instances have been addressed elsewhere.[40]

Secondly, only cases have been selected where there has been some international involvement in the negotiation or implementation. The very numerous instances of internal constitutional reform or internal autonomy settlements that have been achieved over past two decades have already been covered by others in some respects and could not, at any rate, be comprehensively addressed within the framework of this project.[41]

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[40] Hurst Hanum, *Autonomy, Sovereignty and Self-Determination*, University of Pensylvania Press, 1989.
[41] Hurst Hanum, *Documents on Autonomy and Minority Rights*, Martinus Nijhoff Publishers, 1993, Ruth Lapidoth, *Autonomy—Flexible Solutions to Ethnic Conflicts*, United States Institute of Peace Press, 1997. It has to be admitted that this limitation excludes a number of new and potentially interesting cases. Including the on

Thirdly, the project does not principally address instances of constitutional reform and power sharing in the context of complex peace-keeping operations. Again, a very useful study already exists in relation to that question.[42] Moreover, the focus of this project is narrower, focusing exclusively on genuine self-determination cases, although it does cover those self-determination cases which have attracted international action by way of peace-keeping (e.g., Bosnia and Herzegovia and Kosovo, Georgia and Moldova). In those latter cases, the focus of the study is not on the modalities of peace-keeping or the process of generating new structures of governance. Instead, the project considers the substance of the arrangements for power sharing.

Finally, the project does not consider cases where the self-determination issue has been resolved in favour of one party or another (Eastern Timor after the referendum, perhaps Western Sahara in the future) and where international involvement is mainly focused on generating governmental structures for a new state with less emphasis on power sharing. However, at the initial meeting of the project collaborators this decision will be reviewed, should a case be made that the Eastern Timor or Western Sahara cases are developing in a way which makes it relevant for the project.

To ensure, however, that the project can also draw upon these experiences when addressing power-sharing it its specific context, two studies will be conducted in the start-up phase reviewing this practice globally (constitutional reform and peace-keeping and transitional administration).

In selecting the case studies, a mix has been adopted between agreements adopted by the parties themselves which are principally concluded in their final form (e.g. Northern Ireland), and others which are still being developed further (e.g. Palestine). This includes cases where outline agreements have been supplemented by implementation agreements, even where these have not yet been fully implemented (Georgia, Moldova). We have also included 'imposed' arrangements, in particular the case of Kosovo (covering both the political part of the Rambouillet text and the new arrangements developed under UN administration).

A more detailed description of the cases that have been included can be found in the annex to this document. For the purposes of this narrative, the following table of cases might suffice:

CASE	CONFLICT	CONCEPT	AGREEMENT	INTERNATIONAL	STAGE
Northern Ireland (Simms)	UK or Irish Union	Determination of Northern Ireland as the Self-determination Entity, balanced by complex power sharing, including international actors	Downing Street Declaration, Good Friday Agreement	Two principal governments with US involvement	Active Implementation Phase

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going negotiations concerning the status of Quebec; a case, which has been studied in depth elsewhare. Secondly there is the comparatively new case of New Caledonia. New Caledonia is a *territoire d'outre-mer*, a French overseas territory as defined by the 1958 Constitution, one of a handful of territories left over from the French colonial empire. While New Caledonia has experienced an often-bloody confrontation over the territory's status between the indigenous population of the island, the Kanaks, and Europeans, there has been no interference from outside powers. Nor does the settlement, established by the Noumeau Accord of 1998, qualify as a complex power sharing arrangement. It provides, instead, for the gradual devolution of powers from Paris to New Caledonia over 15 years, granting the territory's Congress *loi du pays*, or local autonomy. A contemporary case similar to New Caledonia would be that of Corsica, where recent renegotiations have been conducted concerning Corsica's status in relation to France, similarly again there is a lack of any international involvement in the case of Corsica. The project also excludes the numerous internal conflicts and negotiation processes that exist within India such as the Bodos, Nagas, Tripuras and Assamese. These disputes have all involved various levels of hostilities, whilst those concerning the Bodos and Nagas have also involved negotiation and peace talks. However all of the disputes in India lack the international dimension specific to this project. Finally, on the same grounds the current conflict in Fiji is also omited, in that the conflict resolution process, and chiefly the Muanikau Accord (9th July 2000), lacked significant international involvement.

[42] Sisk, Timothy D., *Power Sharing and International Mediation in Ethnic Conflicts*, United States Institute of Peace Press, 1996.

CASE	CONFLICT	CONCEPT	AGREEMENT	INTERNATIONAL	STAGE
Georgia (Daftary)	Secession from central government	Abkhasia: Framework for semi-state identity and joint exercise of authority South Ossetia: Agreement on freezing of status	*Abkhasia: Cease-fire agreement and elements of a political settlement* South Ossetia: Cooperative agreement on sectoral issues	CIS (Russia), OSCE plus limited United Nations	Both: Initial framework agreements, some provisions for power-sharing, on-going negotiations on status and political settlement
Moldova (Jaerve)	Secession and attempt to join another state of one and pressure for independence in another entity	Transdniestria: Freezing of situation, no unilateral action, agreed delegation of competences Gagauzia	*Transdniestria: Framework Memorandum and Agreements on common economic space. Full political agreement at present being negotiated* 1994 power sharing agreement	CIS (Russia), OSCE plus limited United Nations OSCE	Transdniestria: Initial agreement and on-going talks in view of failure to implement Active implementation
Bosnia and Herzegovina (Towle & Cornish)	Secession of two sub-entities	Construction of a complex Federation	Dayton Accords, complex division of authority	United Nations, NATO, OSCE, WEU and others	Implementation
Kosovo (Weller)	Secession	Decision suspended, although prejudiced by a Security Council Resolution	International administration on the basis of the Rambouillet text	United Nations, NATO, OSCE, WEU	Implementation plus further development of political arrangements through international administrative practice
Palestine (Sayigh)	Transformation of self-determination entity into a state	Gradual acceptance of statehood	Cascade of agreements commencing in 1993, disengagement, transfer of power in certain regions, joint authority in certain areas of policy	US (United Nations)	Definite agreement being negotiated

CASE	CONFLICT	CONCEPT	AGREEMENT	INTERNATIONAL	STAGE
Bougainville (Gallagher))	Secession	Legal status suspended, practical political power sharing in the meantime	Lincoln agreement and subsequent arrangements for administration	Australia, New Zealand and Regional Monitoring Group plus UN	Agreed time-table for further negotiations (September 2000 for autonomy arrangement) plus implementation of interim power sharing
Mali (Mayall)	Tribal movement aimed at secession	Cease-fire and adoption of limited power-sharing arrangement	1992 National Pact consolidated in 1994	Algeria and others	Implementation under way for several years

C.   Selection of Structural Issues

The analytical presentation that will build upon the case studies has been provisionally organized according to the following structural issues:

Issue Area 1: Different Concepts of Overcoming the Self determination Deadlock
This point considers the ways in which the agreements either resolve, or more interestingly, circumvent the self-determination dispute itself, in order to create space for the development of a political culture through power sharing. That is to say, rather than focusing on the way in which power is shared, this section will consider how it is that a way could be found to suspend the relevance of the underlying self-determination conflict. (Crawford)

Issue Area 2: Power Sharing at the State Level
This point considers the management of relations between the purported self-determination unit and the central government (or, in the case of Northern Ireland, governments) after the conclusion of a settlement. The substantive division of legislative, adjudicative and enforcement authority will be considered, including also the difficult area of devolving foreign relations powers. (Bethlehem)

Issue Area 3: The Management of Multi-layered Authority
The delegation of power to different levels of authority, and the possible involvement of outside actors, requires a complex system of organizing public power without conflict or duplication. This point considers the approaches that have been found in answer to this difficulty. Whereas issue area 2 covers substance, this section therefore addresses issues of process. (Weller)

Issue Area 4: Regional and Local Governance
This section considers in greater detail the devolution of power to the regional or local level, including substantive divisions of authority. (Gallagher)

Issue Area 5: Education and other Public Services
Access to education and public services for both dominant and non-dominant groups after the resolution of self-determination disputes will be considered in this section. This also includes equitable access to employment in the public sector. (Grin & Daftary)

Issue Area 6: Policing and Security
This point considers innovative attempts to generate confidence through joint participation in public security functions, including also joint supervisory structures, joint management of armed forces, etc. (Cornish and Towle)

Issue Area 7: Economic Management
This section considers the difficulties posed by regulating a single economic space through complex power sharing agreements. (Sayigh)

Issue Area 8: Human and Minority Rights and Adjudication
This section considers the approaches to human rights protection that have been adopted in power sharing agreements. In addition to a comparison of substantive standards, particular emphasis will be placed on joint or internationalized implementation mechanisms. This point also considers the arrangement of judicial functions in power sharing arrangements. (Gal)

III.   Organization and Outcomes

A.   The Research Team

The research team is coordinated by the Project Director, in collaboration with the junior researcher. It consists of senior academic experts from the three partner institutions who will write case studies and analytical chapters in the role of project consultants. All project participants have considerable experience, not only in the academic analysis of relevant issues, but also in the practice of designing, implementing and evaluating complex power sharing arrangements. A provisional assignment of tasks can be found in Sections II B & C of this document (immediately avove). The members of the team are introduced at greater length in Section VII.

B.   Progression of Work

The project will be conducted over two years. During the initial start-up phase, the junior researcher will assemble the materials evidencing the background to each of the eight cases and the texts of the peace agreements or power sharing arrangements, plus materials evidencing implementation. During this period, the Project Director will prepare a guidance document on methodology for discussion among the research team. In addition, two review studies will be prepared, covering constitutional approaches to power-sharing and power-sharing in peace-keeping and transitional regimes respectively.

All collaborators will then meet to agree a joint structure for the case-study reports and to review the materials that have been presented at an initial workshop. Particular emphasis will be placed on ensuring from the outset that the case-studies will be prepared consistently, according to the analytical headings that need to be visible throughout all of them, to facilitate the comparative work that is to follow. Four external advisors will participate in this initial workshop, to make available external scrutiny of the development of the project at the earliest possible stage.

At this initial meeting, the outline for the introductory reviews covering power sharing through constitutional modifications (i.e., in the absence of external involvement) and in the context of peace-keeping will also be discussed and agreed upon. These two studies will be written during the first year.

The remainder of the first year will be devoted to the detailed research on the case-studies, trips to the regions under review and the writing of the case-study reports. At the end of year one, a further workshop will be held, to review the introductory papers and the case-reports and to amend, if necessary, the structure for the analytical presentation that is to follow. Ten external experts from the case study regions and from the international institutions involved in the negotiation and implementation of the peace-settlements and power sharing arrangements will participate in the workshop, to validate the provisional findings that have been made in relation to their particular area of expertise.

The second year will be devoted to the writing of the analytical chapters. In the meantime, the Project Director and the Junior Researcher will prepare the first volume of case studies and materials for the press.

A further workshop will be held to approve the finished manuscript for the first volume, and to review jointly all the chapters for the second, analytical volume. This session will be attended by 6 external experts who will assist in ensuring that the final presentation of the chapters is intellectually persuasive and coherent. An overall introduction and a conclusion will be generated as well.

In the final project phase, at the end of the second year, the chapters for the second, analytical volume will be edited and prepared for the press. The introduction and conclusion will be reviewed by all collaborators and a shorter document summarizing the findings of the project will be prepared.

After completion of the project phase, this shorter document will be presented at a short conference to be held in New York, to publicise the findings of the team and to commence scholarly dialogue with other academics and practitioners.

Throughout the project period, a joint web-site will be maintained by the three partner institution. The site will disseminate information about the project by explaining its rationale, chronicling its progress and provisional findings and invite comment and criticism from others. In addition, some of the materials collected for the project will be made available to other scholars in this way. A summary work-plan can be found overleaf.

C.   Products

This project will result in two major books, plus a shorter publication summarizing the findings of the project team. The two books will not be published as a series of two volumes. Instead, they will be published independently of each other and will be 'self-supporting'. The first volume will contain the case study presentations, accompanied by original materials. These will be the respective peace agreements, constitutional

arrangements which followed, documents highlighting administrative practices in greater detail, and materials reflecting the role of international implementation institutions. Documents and Analysis Publishing Ltd has agreed to publish the volume.

Book 1: Resolving Self-determination Conflicts: A Survey of Recent Cases

1. Introduction: Self-determination issues in a complex post-cold war setting, 20 pp

2. Survey of Recent Cases Settled Internally, through Constitutional Re-definition, 35 pp

3. Survey of Power-sharing in Peace-keeping and Transitional Regimes, 35 pp

4. Northern Ireland (analysis and documents), 55 pp

5. Georgia, (analysis and documents) 25 pp

6. Moldova (analysis and documents), 25 pp

7. Bougainville, (analysis and documents), 25 pp

8. Bosnia and Herzegovina, (analysis and documents), 65 pp

9. Kosovo, (analysis and documents), 55 pp

10. Palestine, (analysis and documents), 45 pp

11. Mali (analysis and documents) 25 pp

12. Conclusion: New Models for Power-sharing, 20 p

The second volume will be a shorter, analytical presentation, covering common structural issues revealed through the analysis of the case studies. Publication of the book will be proposed to Cambridge University Press.

Book 2: Resolving Self-determination Conflicts Through Power Sharing

1. Introduction: Self-determination vs. Territorial Unity—An Opposition that Can Never be Resolved?

2. Classical Approaches to Settling Self-determination Issues: Integration, Autonomy and Conflict

3. Suspending or Resolving the Self-determination Issue: New Concepts

4. Power Sharing at the State Level

5. The Management of Multi-layered Public Authority Including Economic Issues

6. Regional and Local Governance

7. Educational Issues and Public Services

8. Joint Authority in the Management of Economic Issues

9. Joint Policing and Security Issues

10. Human Rights, Minority Rights and Adjudication

11. Adjudication

12. External Relations

13. Conclusions: Lessons for Future Cases

In advance of the Presentation Conference, a shorter report will be produced. That report will highlight the overall findings of the project and present a toolkit for the resolution of specific issues that are of relevance to the settlement of self-determination conflicts through power sharing.

Throughout the run of the project, a dedicated web-site will explain the rationale and aim of the project and chart its progress. Selected documents on the case-studies will be made available to other scholars and dialogue on the emerging analytical sections will be encouraged through the publication of early drafts on the site. The site will be maintained after the termination of the project by the project partner institutions.

IV.   Relevance

The relevance of this project lies in two principal facts. First of all, it addresses systematically a new raft of practices that have not yet been analyzed comprehensively and in a comparative way. Secondly, the project identifies strands of solutions to self-determination conflicts that may be transferable to other cases yet in search of a resolution. This also includes an identification of experience that have not proven to be successful.

A.   Dissemination

Considerable emphasis is placed on the dissemination of the findings of this project. The flagship outcomes of the project are, of course, the two substantial books that will result. A shorter report will transmit the findings of the project in a more condensed form to practitioners who may wish to access the more scholarly books. These products will be presented to a wider audience at a presentation conference held in New York after the conclusion of the project phase. The presentation conference will include presentations by the project collaborators, but also by experts or practitioners in relation to the eight case studies that have been addressed, plus four external experts on power-sharing. The former will assist in highlighting the emphasis of the project on actual implementation practice, where available, the latter will help to place the findings of the project into a wider context. In addition to the collaborators and the experts, this public conference will be advertised widely to practitioners and to the academic community.

Even before publication, dissemination will be achieved through the dedicated web-site, which will chart the progress of the work and make available materials to other scholars. In addition, early drafts of the analytical chapters will be provided for comment and criticism.

B.   Evaluation

A strong evaluation element has been built into every phase of the project. In particular, external experts will contribute timely criticism during all three of the workshops that have been planned. In addition, two external experts will be commissioned to review the final outcome of the project after its conclusion. The Presentation Conference will also provide an opportunity for critical review from the side of participants from the wider scholarly community.

C.   Future Perspective

The project web-site will be maintained by the three partner institutions after the conclusion of the project. It is also possible to conceive of a follow-on project, should the Carnegie Corporation of New York be willing to entertain it. That project would apply the lessons derived from the project to further cases that would be suitable for a resolution through complex power sharing arrangements and develop draft settlements in collaboration with practitioners and scholars from the respective regions of conflict. These cases include:

- Indonesia
- Chechnya
- Cyrpus
- Kashmir
- Nagorno Karabakh
- Somaliland
- Sri Lanka
- Sudan

VI.   Staff and Budget

The project runs over two years. Marc Weller, who is a representative in all three of the project partner institutions, will direct the project. The Project Director will guide the project throughout its duration.

The project will also draw upon a junior researcher who will assemble background material, prepare the case study documents and assist in editing them. The junior researcher will also prepare and organize the workshops, liase with external advisors, write background documents for the team and edit the reports and book chapters as they come in.

The substantive work on case studies will be conducted by a team of consultants drawn from the three institutions during year one (see the listing in the final part of this document). The same team will also be responsible for the structural analysis in the second phase of the project.

To coordinate work and ensure early and continuous external input and review, there will be three workshops bringing together the team and outside project advisors. The first workshop will serve to sharpen the focus for the case studies, to ensure that all of them will be written according to the structural issues that will inform the second part of the project. A second workshop will review the case studies at the end of the first year, and will also review the structure of the analytical presentation in the light of the experiences of the interviews on the ground. A third workshop, to which four external advisors will be invited, will review the initial drafts of the analytical chapters and agree on the direction to be taken in the introduction and conclusion.

There will need to be provision for the research trips. The researchers working on individual case studies will need to visit the region in question, and they may also find it necessary to visit and consult with individuals that were involved in the negotiation or implementation of the agreement from the perspective of an international organization.

In addition to the overall budget, separate budgets for the research trips and the workshops have been appended.

To assist with dissemination of the work, a continuous web-project will be maintained throughout the two years and, if possible, it will be maintained thereafter. Moreover, a presentation conference will be organized to publicise the outcomes of the project, including both books. A separate budget for this conference, to be held in New York, is appended. A shorter, hard copy report on the findings of the project will be printed and disseminated to interested institutions and individuals.

In addition to the preliminary quality control exercised through external involvement in the workshops, two external experts will be invited to write an evaluation report after the conclusion of the project.

The budget tables that follow attempt to comply with the budget forms provided by the Carnegie Corporation of New York. However, as the budget of the Centre for International Studies is not disaggregated within the University of Cambridge, it is not possible to provide figures on its overall budget and the percentage of grant income.