

Track II Diplomacy

Track II Diplomacy is a form of peacebuilding that utilizes unofficial actors to convene and engage in dialogue and negotiation to resolve conflict, explore deep conflict dynamics and set the stage for a more peaceful future. Instead of bringing high-ranking official diplomats and leaders to the negotiating table, Track II efforts are often conducted by nongovernmental organizations and focus on dialogue with influential private citizens, former officials or officials acting “off the record” within a conflict area.

Brief History of Track II

1960

An American spy plane is shot down over the Soviet Union in 1960. President Dwight Eisenhower reportedly tells friend and editor of the Saturday Review magazine, *Norman Cousins*, “I can’t talk to the Soviets, but somebody better.” Eisenhower’s urging leads to the Dartmouth Conference, in which Cousins convenes prominent U.S. and Soviet citizens for a series of meetings.

1989

The *American Academy of Arts and Sciences* hosts meetings between Israeli and Arab civilians on the Israeli-Palestinian conflict. These meetings eventually initiate the conversation about Israeli withdrawal from Palestinian territory during the Oslo Peace Accords in 1993.

1994

Former president *Jimmy Carter* travels to North Korea in 1994 to engage in diplomatic talks to avert a nuclear crisis between the U.S. and North Korea.

1997

The *Stanford Center on International Conflict and Negotiation* and *Community Dialogue*, an Irish NGO, partner to facilitate negotiations between stakeholders in Northern Ireland after the Irish Republican Army agrees to a cease-fire.

2010

The *Holder v. Humanitarian Law Project (HLP)* Supreme Court decision upholds the government’s ability to criminalize provision of peacebuilding, “expert advice or assistance” and “training” to listed terrorist groups.

2010-Present

Groups like the *Alliance for Peacebuilding* and the *United States Institute of Peace* are forced to curtail or cancel projects because of concerns over the scope of the *Holder v. HLP* decision.

What makes Track II Unique?

The success of Track II diplomacy in very contentious conflicts and delicate negotiations springs from its unique character, which distinguishes it from traditional diplomacy. Specifically, Track II:

- *Avoids political grandstanding.* Because Track II activities are often convened by NGOs and do not involve high-ranking government individuals acting in an official capacity, there is little need for the actors to focus on scoring political points during the discussions. The dialogue allows for deep exploration of conflict drivers, and strategy for changing the current political environment.
- *Prepares the ground for official talks.* Track II has a role in augmenting official diplomatic talks by identifying areas of potential common ground before official talks start (or even concurrently with official talks). The initial discussions can help official actors focus on areas that are most important to the parties of a conflict, decide where there is common ground, and where negotiation should begin among top-level actors.
- *Recognizes all parties to a conflict.* Often extremists, spoilers, and armed groups are more willing to engage in dialogue on an unofficial level than they are to take part in an official political process. The ability of Track II to bring those groups to the negotiating table is important to create lasting peace.
- *Detects and evaluates conflict.* Once peace agreements have been made, there is often the risk that violence can return. Because Track II practitioners are plugged into local networks, they can detect the early-warning signs of renewed conflict. This allows for faster and more accurate reporting of conflicts to official actors, enabling a speedier response.

What are the barriers to Track II?

The “material support” prohibition, upheld by the *Holder v. HLP* decision, impacts Track II diplomacy by eroding the ability of NGOs to engage with listed terrorist groups without fear of criminal prosecution and economic sanctions. Material support, as defined by the USA Patriot Act, is any monetary contribution, “expert advice or assistance,” “training,” or “personnel” provided to a group listed as terrorist by the State Department. It is also prohibited in Executive Orders that establish terrorist lists and sanctions enforced by the Department of Treasury. Peacebuilding organizations and citizens who practice Track II risk running afoul of these legal regimes for engaging with terrorist groups, even when it is solely for the purpose of negotiating peace and ending conflict.

Where Does Track II Fit in the Big Picture of Peacebuilding?

| Track I | Track II | Conflict Prevention |
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| <ul style="list-style-type: none"> - Formal government negotiations - Treaty implementation Monitoring agreements | <ul style="list-style-type: none"> - Informal - Nongovernmental organizations (neutral convenors, facilitators) - Unofficial representatives Grassroots leaders | <ul style="list-style-type: none"> - Nongovernmental and local organizations - Donors - Training, development |