





Impact of Mediation on Conflict Resolution in Sudan

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Abstract

Purpose: The study sought to analyze the impact of mediation on conflict resolution in Sudan

Methodology: The study adopted a desktop methodology. Desk research refers to secondary data or that which can be collected without fieldwork. Desk research is basically involved in collecting data from existing resources hence it is often considered a low cost technique as compared to field research, as the main cost is involved in executive's time, telephone charges and directories. Thus, the study relied on already published studies, reports and statistics. This secondary data was easily accessed through the online journals and library.

Findings: The results show that mediation can be a valuable tool for resolving conflicts, as it offers the parties involved greater control over the outcome of the dispute and can often bring about a peaceful resolution in a shorter period of time. Mediation has had a positive impact on conflict resolution in Sudan. It has enabled the parties involved in the conflict to engage in dialogue and reach mutually acceptable solutions, while also promoting compromise and cooperation. The agreements reached through mediation have provided a basis for the implementation of the CPA and have helped to address some of the underlying causes of the conflict.

Unique Contribution to Theory, Practices and Policies: The principled negotiation theory and transformational theory may be used to anchor future studies in the conflict management sector. The study results will also benefit other stakeholders such as the policy makers as well as researchers and scholars from different parts of the world. The top management of conflict management sector in the country will also use the study findings to improve conflict resolution strategies in all their activities and programs. The study recommends that the adoption of effective mediation policies in the leadership conflict management sector will help to improve efficiency in their major operations and activities.

Keywords: *Impact, Mediation, Conflict Resolution, Sudan*

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INTRODUCTION.

Mediation is a process of conflict resolution that involves a neutral third party who is not a decision-maker. The mediator facilitates communication between the parties in dispute and helps them to reach a mutually agreed-upon resolution. Mediation has become increasingly popular in recent years as an effective means of resolving disputes without the need for costly and timeconsuming litigation. One of the most significant advantages of mediation is that it can provide a quicker and more cost-effective solution to a conflict (Malizia, 2018). Mediation is often a faster and more cost-effective way to resolve a dispute, as the parties can reach an agreement in a fraction of the time and cost of litigation. Mediation is a confidential process. This means that the parties involved can discuss the conflict openly and honestly without fear of the information becoming public. This can be beneficial, as it allows the parties to reach a resolution without the risk of the information becoming public knowledge and exacerbating the situation. Since its independence in 1956, Sudan has endured a long and tumultuous history of civil war and inter-ethnic violence. In 2011, after decades of civil unrest and internal upheaval, the Comprehensive Peace Agreement (CPA) was signed by then-President Omar Al-Bashir and the Sudan People's Liberation Movement/Army (SPLM/A) (Garang, 2015). This agreement established a power-sharing government between the north and the south, ending the civil war and opening the door to a new era of peace and stability for the country. The modern state of Sudan has been plagued by civil war and conflict since its independence.

This conflict has been largely driven by a number of factors, including the unequal distribution of resources, ethnic and religious differences, and the legacy of colonial rule (Pitswane, 2014). The first civil war began in 1955 and lasted until 1972, with the southern rebels fighting for greater autonomy and self-determination. The war was eventually ended by the Addis Ababa Agreement, which granted increased autonomy to the south. However, this agreement did not address the underlying causes of the conflict, and hostilities resumed in 1983 when the Sudanese government declared a jihad against the non-Muslim populations of the south. The conflict lasted until 2005, when the CPA was signed. The CPA ended the civil war and created a power-sharing arrangement between the north and the south. It also provided for a referendum on the future of the south, which resulted in the formation of the independent state of South Sudan in 2011. Despite the success of the CPA, Sudan remains divided between the two regions, with ongoing tensions and violence in the Darfur region and along the North-South border. In Sudan, mediation has been used as a tool for conflict resolution since the signing of the CPA in 2005 (Mugo, 2016). The African Union (AU) played an important role in this process, leading mediation efforts between the government and the opposition. The AU also facilitated dialogue between the government and other armed groups, such as the Darfur rebel groups. Mediation had a positive impact on conflict resolution in Sudan.

It has enabled the parties involved in the conflict to engage in dialogue and reach mutually acceptable solutions, while also promoting compromise and cooperation (Mwaniki, 2014). Mediation has helped to foster a more peaceful environment in Sudan. The negotiations facilitated by the AU have been instrumental in establishing ceasefires and confidence-building measures, which reduced the risk of further violence and helped to create a more stable and secure



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environment. Mediation also enabled the parties to reach agreements on a range of issues, including the demarcation of borders, the disarmament of rebel groups and the implementation of development projects (Castro, 2018). These agreements provided a basis for the implementation of the CPA and have helped to address some of the underlying causes of the conflict. China has been keen to portray itself in the African continent as an economic partner; however, the conflict between South Sudan and Sudan pushed Beijing to increase engagement in Horn of Africa's security affairs. The reason lies in its growing interests in the region and enhancing its great power diplomacy with the Chinese through its participation in the UN peacekeeping operations in the continent (Chun, 2015). In fact, China had been engaging in friendly exchanges with South Sudan in the 1970s when China decided to send the first medical teams of agricultural experts to help South Sudan.

In January 2005, China was one of the mediators between North and South Sudan during the signing of the Comprehensive Peace Agreement, which ended 22-years. From Sudan on 9 July 2011as the outcome of a 2005 agreement. The Chinese government respected the results of the referendum and was one of the first countries in the world to recognize the new country (Giumelli, 2022) In July2011, Jiang Weixin, China's Minister of Housing and Urban-rural Development, attended South Sudan independence celebrations as President Hu Jintao's special envoy who sent a congratulatory message to President of South Sudan and established diplomatic relations with the country. In April 2012, South Sudan President visited China and the South Sudan Embassy in Beijing hosted the first in- vestment forum between Juba and Beijing to identify investment and trade opportunities. Oil has been very important in the wealth-sharing protocol between North and South Sudan.

Statement of the Problem

The primary impact of mediation on conflict resolution in Sudan is that it has allowed for a more peaceful resolution of the conflict than would otherwise have been possible. This process has helped to create a more constructive atmosphere in which the parties can negotiate and come to a mutually acceptable agreement. Mediation has also enabled the parties to the conflict in Sudan to reach agreements that are more equitable and sustainable than would have been possible without mediation. By providing a more neutral platform for discussion and negotiation, mediation has enabled the parties to come to agreements that are more inclusive and that can withstand the test of time. This has been especially important in the context of Sudan, where many of the agreements reached have been short-term and have not been able to withstand the pressures of ongoing conflict. Finally, mediation has enabled the parties to the conflict in Sudan to address issues that would have otherwise gone unresolved. By providing a neutral platform for discussion, mediation has enabled the parties to address issues such as power-sharing, economic development and human rights that might otherwise have been ignored or overlooked.

Despite the positive impact of mediation on conflict resolution in Sudan, there are also several problems that have hampered its effectiveness. The process of mediation has often been protracted and drawn out. This has been due to the complexity of the issues at stake, the large number of actors involved in the conflict and the lack of trust between the parties. This has made it difficult for mediators to facilitate dialogue and reach an agreement in a timely manner. There is a lack of



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trust between the parties to the conflict in Sudan. This has made it difficult for mediators to create an atmosphere of trust and cooperation in which the parties can negotiate and come to an agreement. This lack of trust has been exacerbated by the fact that the parties are often from different ethnic, religious and political backgrounds, making it difficult for them to reach a consensus. Finally, there is a lack of resources available to mediators in Sudan. Mediation is a costly process and requires a significant amount of time and effort on the part of mediators. This lack of resources has made it difficult for mediators to effectively facilitate dialogue and reach agreements between the parties especially in Sudan. This has begged the researcher to undertake the research on impact of mediation on conflict resolution in Sudan

THEORETICAL REVIEW

This study will benefit from the principled negotiation theory which was proposed by Roger Fisher and William Ury (1970) and the transformational theory by James Burns (1978).

Principled Negotiation Theory

This theory is based on a set of principles that can be used to help negotiators reach an agreement. This theory suggests that in order to reach a successful outcome, both parties must be willing to work together, focus on interests rather than positions, create mutually beneficial solutions, and be flexible in their approach. The first principle is that the parties must be willing to work together cooperatively. This means that the parties must be willing to listen to each other and consider each other's perspectives (Zwier, 2013). They must also be willing to compromise and find solutions that are mutually beneficial. The second principle is that the parties must focus on interests rather than positions. This means that they must be willing to look beyond their own interests and consider the interests of the other party. They must be willing to explore different options and find a solution that meets both parties' needs. The third principle is that the parties must create mutually beneficial solutions. This means that the parties must be willing to work together to find a solution that works for both of them. They must also be willing to be flexible and consider different options. Finally, parties must be flexible in their approach. (Hak, 2018) This means that they must be willing to adjust their positions if necessary in order to reach an agreement. The Principled Negotiation Theory can be used in mediation to help the parties reach an agreement. The mediator can use this theory to guide the parties through the process, helping them to focus on interests rather than positions, create mutually beneficial solutions, and be flexible in their approach. The mediator can also help the parties to understand each other's perspectives and find a solution that meets both of their needs.

Transformational Theory

The transformational theory explores the potential of mediation to transform the relationship between parties in a dispute. This theory focuses on the idea that mediation can be used to facilitate the resolution of conflicts by creating an environment of mutual understanding, respect, and trust. This theory seeks to promote a more collaborative approach to conflict resolution, focused on understanding the needs and interests of both parties, rather than on assigning blame or seeking to impose a solution (Ng, 2017) According to this theory, mediation can create an environment of mutual understanding and respect, promoting constructive dialogue and creative problem-solving.



This can lead to solutions that are mutually beneficial and that are more likely to be accepted and implemented by the parties involved.

Empirical Review

Abukar (2022) examined the role of elders in the reconciliation and mediation process in the Banadir region of Somalia, 1991 - to 2004. The study used a descriptive research design. The target population of this research were; traditional elders, religious leaders, civil society leaders, youth and government officers. The respondents were chosen based on non-probability sampling procedure, notably purposive sampling. The study established that since 1991 traditional elders immensely contributed to peace building in Banadir region, Somalia. The study established that the greatest challenge traditional elders experience in peace building was the inability of the elders to enforce agreements reached during conflict reconciliation among groups who were in conflict

Mach Era (2021) examined the effects of ADR mechanisms in resolving recurring conflicts along the Migori-Narok border. Both qualitative and quantitative approaches were used to collect data. Participatory action research using focus group discussion, community dialogue, and key informant interviews were used to collect qualitative data, while self-administered interview questionnaires were used for quantitative data. The findings revealed that there is a positive and significant correlation between ADR methods and conflict resolution at r=0.608 and P=0.000; is a positive and statistically significant correlation between ADR principles and conflict resolution at r=0.044 and P=0.005; and a positive and statistically significant correlation between the acceptability of the ADR mechanism and conflict resolution at r=0.337 and p=0.000.

Jiang (2020) investigated the relationship between supervisory behaviour, conflict management strategies and sustainable employee performance and inquires the mediating effect of conflict management strategies. Data were collected from the SMEs of the manufacturing industry of Pakistan. The findings of the study revealed a positive and significant relationship between supervisory behaviour and sustainable employee behaviour. Similarly, conflict management strategies had a positive effect on the relationship between supervisory behaviour and sustainable employee behaviour. This study adds in the current literature of supervisory behaviour as a critical predictor of sustainable employee performance in two ways.

Katumba (2020) established the factors that affect diplomatic means of conflict resolution in South Sudan. The research was carried out through a cross-sectional and survey research design, and obtained relevant data from 78 respondents. The researcher found out that successful peace building activities create an environment supportive of self-sustaining. Since South Sudan is prone to internal and conflicts from without, there is need for routine practice of negotiations and mediations so that there is limited impact of ultra vires activities such as fighting.

Mary (2019) demonstrated that individual perceptions of supervisor conflict management style are antecedents of role stressors in public accounting exhaustion. Survey results from a sample of 208 public accountants from six firms in upstate New York were used to test the conceptual model using regression and mediation techniques. The findings indicated that perceptions of collaborative and dominating conflict management styles are important antecedents to the role stressors that precede exhaustion in public accounting. The findings also indicated that collaborative and



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dominating management styles have an indirect effect on exhaustion through both role conflict and role overload.

Andrea (2018) investigated the key themes, concepts and their relationships for the period 2007-2017. Bibliometric analysis was used to trace the development path of the extant literature. The study included activity indicators such as distribution of articles and most-cited journals; relationship indicators such as co-author analysis and keyword analysis; and the mapping of the theoretical foundations. The study identified five key themes that help track the direction of conflict management research: negotiation, mediation, trust, conflict management styles and performance

Mugo (2016) examined the actors involved in the mediation process in conflict resolution in South Sudan. The researcher used both primary and secondary data which was obtained from analysis and review of books, journals, papers and other available literature on mediation process and conflict resolution in South Sudan. The study established that there are various actors in the mediation process in South Sudan. They include IGAD as the lead mediator, regional states (Uganda, Kenya, and Ethiopia), the AU and the international community such as the Troika and the US, the European Union, UN and China. The involvement of immediate regional actors in peace talks was a double-edged sword. Some of the major factors that has limited IGAD's mediation process includes: regional rivalries and power struggles; centralization of decision-making at the HoS level and related lack of institutionalization within IGAD; and challenges in expanding the peace process beyond South Sudan's political elites.

Lena (2016) examined age differences in conflict management strategy use, effectiveness and in exposure to customer stressors in service interactions. Moderated regression and mediation analyses were conducted to test hypotheses in a sample of 444 German service employees from different service branches with frequent customer contact. Results revealed that older service employees experienced fewer customer stressors. Customer stressors mediated the negative relationship between age and burnout. Age was associated with use of passive avoidant (avoiding) and active constructive (problem solving) conflict management strategies. Furthermore, older employees used those strategies more effectively.

Lianying (2015) examined the relationship between interpersonal conflict and construction project performance. This study used a structured questionnaire survey and gathered 266 completed data from 45 construction project teams in mainland China. The results showed that interpersonal conflict and negative emotions all have inverse relationships with project performance. Additionally, negative emotions mediated the relationship between interpersonal conflict and project performance, and this indirect relationship will be mitigated when team members have a high level of political skill.

Wakhungu (2013) assessed Kenya's mediation role in the Sudan peace process. The data that forms the core of this study was drawn from both primary and secondary sources. The study established that although the mediation process was under the auspices of IGAD, Kenya took a leading role because by that time she was the chair of IGAD and was willing to offer herself to mediate an end to the protracted conflict in the Sudan. It is further established that the parties to



the conflict accepted Kenya's leadership role because of her international stature as a neutral and sober state compared to her neighbors some of whom had openly taken sides in the conflict.

METHODOLOGY

The study adopted a desktop methodology. Desk research refers to secondary data or that which can be collected without fieldwork. Desk research is basically involved in collecting data from existing resources hence it is often considered a low cost technique as compared to field research, as the main cost is involved in executive's time, telephone charges and directories. Thus, the study relied on already published studies, reports and statistics. This secondary data was easily accessed through the online journals and library

RESULTS

The results were grouped into various research gap categories namely as conceptual, methodological and geographical gap.

Conceptual Gaps

Studies by Mach Era (2021), Jiang and Katumba (2020), Mary (2019), Andrea (2018), Mugo and Lena (2016), Lianying (2015) and Wakhungu (2013) had conceptual framework gap in addition, all the mentioned studies did not establish the challenges of mediation on the conflict resolution. The studies did not outline the challenges in a clear manner. Therefore, the current study seeks to address these conceptual gaps

Geographical Gap

Studies by Abukar and Mach Era (2021), Jiang (2020), Mary (2019), Andrea (2018), Lena (2016), Lianying (2015) and Wakhungu (2013) had geographical gap because they were not conducted in Sudan. This implies that the results may be inapplicable in Sudan since the social economic environment of Sudan and other countries differ. The current study seeks to address this gap.

Methodological Gap

A methodological gap presents itself in this study, Mugo (2016) examined the actors involved in the mediation process in conflict resolution in South Sudan. The researcher used both primary and secondary data which was obtained from analysis and review of books, journals, papers and other available literature on mediation process and conflict resolution in South Sudan to analyze data while our study will use a desk study literature review methodology.

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Conclusion

Diplomacy is consistent with continued peaceful pursuit by states of their goals (individual or collective) for example Omar Bashir negotiated for peaceful settlement of political and military issues with Salvar Kiir Mayardit, and a full description of the processes of conflict resolution within a community would entail a full description of the numerous and complex kinds and degrees of the divisive and common concerns among its members. Therefore, diplomatic activities improved internal democracy within the Sudanese People's Liberation Army concretized this study by noting that the peace negotiations for South Sudan could resolve the crisis only through a



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genuine and inclusive political dialogue. The use of diplomatic approach to issues that were political and economic within the SPLA/M party had facilitated better binding of force royal to Salvar Kiir Mayardit and John Garang as well as the current Chief of Defense Force (CDF) General Marlong. To date peace prevails between Sudan and South Sudan and even internal bickering is handled through mediation. SPLA/M and Sudan government have been able to draw border demarcation in Abyei, Upper Nile State peacefully.

Recommendations

The study recommended that South Sudan should maintain cordial working relations with regional peace brokers, mainly IGAD, East African Community (EAC), South African Development Community, Nile Basin Initiative and others in order to proliferate Regional Corporation and peace. This will guarantee peace and stability in the country for future political, social and economic prosperity this will guarantee peace and stability in the country, in the East African Region, Africa and the world.

REFERENCES

- Beardsley, K., Cunningham, D. E., & White, P. B. (2019). Mediation, peacekeeping, and the severity of civil war. Journal of Conflict Resolution, 63(7), 1682-1709.
- Beitler, L. A., Machowski, S., Johnson, S., & Zapf, D. (2016). Conflict management and age in service professions. International Journal of Conflict Management.
- Brosché, J., & Duursma, A. (2018). Hurdles to peace: a level-of-analysis approach to resolving Sudan's civil wars. Third World Quarterly, 39(3), 560-576.
- Caputo, A., Marzi, G., Maley, J., & Silic, M. (2019). Ten years of conflict management research 2007-2017: An update on themes, concepts and relationships. International Journal of Conflict Management, 30(1), 87-110.
- Castro, A. P. (2018). Promoting natural resource conflict management in an illiberal setting: experiences from Central Darfur, Sudan. World Development, 109, 163-171.
- Chun, Z., & Kemple-Hardy, M. (2015). From conflict resolution to conflict prevention: China in South Sudan. Saferworld CPWG briefing, 1, 31.
- Cominelli, L., & Lucchiari, C. (2017). Italian Mediators in action: The impact of style and attitude. Conflict Resolution Quarterly, 35(2), 223-242.
- Cronin, M. A., & Bezrukova, K. (2019). Conflict management through the lens of system dynamics. Academy of Management Annals, 13(2), 770-806.
- Diehl, P. F., & Regan, P. (2015). The interdependence of conflict management attempts. Conflict Management and Peace Science, 32(1), 99-107.
- Elfversson, E. (2019). The political conditions for local peacemaking: A comparative study of communal conflict resolution in Kenya. Comparative Political Studies, 52(13-14), 2061-2096.
- Garang, A. (2015). The impact of external actors on the prospects of a mediated settlement in South Sudan. University of Pretoria: Pretoria.
- Giumelli, F., & Weber, A. (2022). UN Sanctions as Leverage in Mediation Processes? An Anatomy of Missed Opportunities in South Sudan. Global Governance: A Review of Multilateralism and International Organizations, 28(2), 251-273.
- Greig, J. M. (2015). Nipping them in the bud: The onset of mediation in low-intensity civil conflicts. Journal of Conflict Resolution, 59(2), 336-361.
- Hak, F. R., & Sanders, K. (2018, April). Principled negotiation: an evidence-based perspective. In Evidence-based HRM: A Global Forum for Empirical Scholarship (Vol. 6, No. 1, pp. 66-76). Emerald Publishing Limited.
- Heger, L. L., & Jung, D. F. (2017). Negotiating with rebels: The effect of rebel service provision on conflict negotiations. Journal of Conflict Resolution, 61(6), 1203-1229.



- Hesser, H., Axelsson, S., Bäcke, V., Engstrand, J., Gustafsson, T., Holmgren, E., & Andersson, G. (2017). Preventing intimate partner violence via the internet: A randomized controlled trial of emotion-regulation and conflict-management training for individuals with aggression problems. Clinical psychology & psychotherapy, 24(5), 1163-1177.
- Katz, N. H. (2017). Mediation and dispute resolution services in higher education. In The Mediation Handbook (pp. 170-178). Routledge.
- Kazanský, R., & Andrassy, V. (2019). Conflict resolution approaches towards smart sustainability of internal relations. Entrepreneurship and Sustainability Issues, 6(3), 1468.
- Kelly, E. J., & Kaminskienė, N. (2016). Importance of emotional intelligence in negotiation and mediation. International Comparative Jurisprudence, 2(1), 55-60.
- Knapp, A. E., Knapp, D. J., Brown, C. C., & Larson, J. H. (2017). Conflict resolution styles as mediators of female child sexual abuse experience and heterosexual couple relationship satisfaction and stability in adulthood. Journal of child sexual abuse, 26(1), 58-77.
- Korobko, K. I., Radaeva, S. V., Rozanova, E. V., Rubanov, S. A., & Treskov, A. P. (2019). Mediation as an alternative dispute resolution: world experience.
- Malizia, D. A., & Jameson, J. K. (2018). Hidden in plain view: The impact of mediation on the mediator and implications for conflict resolution education. Conflict resolution quarterly, 35(3), 301-318.
- Min, J., Iqbal, S., Khan, M. A. S., Akhtar, S., Anwar, F., & Qalati, S. A. (2020). Impact of supervisory behavior on sustainable employee performance: Mediation of conflict management strategies using PLS-SEM. PLoS One, 15(9), e0236650.
- Mugo, J. W. (2016). An Analysis of Mediation as A Tool in Conflict Resolution in Africa: A Case Study of Mediation Process in South Sudan Between December 2013-March 2015 (Doctoral dissertation, University of Nairobi).
- Müller, P., & Bergmann, J. (2020). Orchestrating peace in South Sudan: exploring the effectiveness of the European Union's mediation support. European Security, 29(2), 149-169.
- Mwaniki, B. G. (2014). The Role of Regional Organizations in Conflict Management: A Case Study of IGAD Peace Process in Sudan Conflict (1993-2005) (Doctoral dissertation, University of Nairobi).
- Ng, T. W. (2017). Transformational leadership and performance outcomes: Analyses of multiple mediation pathways. The leadership quarterly, 28(3), 385-417.
- Pitswane, J. T. (2014). The Dynamics of Mediation and Conflict Resolution in Darfur, Sudan: 2004-2011 (Doctoral dissertation, University of the Witwatersrand, Faculty of Humanities, School of Social Sciences (International Relations)).
- Ross, H. S., & Lazinski, M. J. (2014). Parent mediation empowers sibling conflict resolution. Early Education and Development, 25(2), 259-275.

- Sela, A. (2017). The effect of online technologies on dispute resolution system design: Antecedents, current trends, and future directions. Lewis & Clark L. Rev., 21, 635.
- Shamir, Y. (2016). Alternative dispute resolution approaches and their application.
- Stipanowich, T. J., & Lamare, J. R. (2014). Living with ADR: Evolving perceptions and use of mediation, arbitration, and conflict management in fortune 1000 corporations. Harv. Negot. L. Rev., 19, 1.
- Sultan, H. E. M., & Degang, S. U. N. (2020). China's Participation in the Conflict Resolution in Sudan and South Sudan: A Case of "Creative Mediation". Belt & Road Initiative Quarterly, 1(2), 6-23.
- Vancluysen, S., & Ingelaere, B. (2020). Conflict resolution as cultural brokerage: how refugee leaders mediate disputes in Uganda's refugee settlements. Journal of refugee studies, 33(2), 300-315.
- Wang, G. (2017). The Belt and Road Initiative in quest for a dispute resolution mechanism. Asia Pacific Law Review, 25(1), 1-16.
- Zhang, L., & Huo, X. (2015). The impact of interpersonal conflict on construction project performance: A moderated mediation study from China. International Journal of Conflict Management.
- Zwier, P. J. (2013). Principled Negotiation and Mediation in the International Arena: Talking with Evil. Cambridge University Press.