

Issue Brief

Preventive Diplomacy and Mediation

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In anticipation of the Secretary-General’s report on preventive diplomacy and the coming Security Council debate in the fall, heightened attention has been paid to the topic of preventive diplomacy in 2011. This issue brief serves to provide a background to the current discussions and a summary of recent developments.

Background

Conflict prevention and mediation are among the core missions of the United Nations. According to Article 1(1) of the Charter, the first purpose of the United Nations is “to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.” In recent years, the growing burdens and costs of peacekeeping in the midst of a global financial crisis have contributed to a rediscovery of preventive diplomacy and mediation as less resource-intensive crisis management options.

Today, more than ever, armed conflicts are likely to end in a negotiated settlement.¹ As mediation and conflict prevention activity has surged since the end of the Cold War, its dynamics have undergone significant change as well. Contemporary armed conflict predominantly takes place within states rather than between them, and it is frequently associated with a breakdown in governance on salient public policy issues, such as security sector, justice, and rule of law performance; organization of elections; land tenure law; regulation of natural resource exploitation; and intercommunal relations. Preventing or settling such conflicts in a sustainable manner requires a political solution to complex issues related to the core functions of a state. When distrust among national actors runs high in the midst of an acute crisis, mediation, facilitation, or diplomatic encouragement by international actors is often indispensable for enabling them to reach a sustainable compromise and to address the root causes of their dispute.² This task requires access both to expertise on a wide range of subject matters, including complex governance issues, and to a nuanced understanding of how the diverse pieces of the puzzle relate to each other.

1 During the Cold War, military victories ended armed conflicts twice as often as negotiated settlements. Between 1989 and 2007, this ratio reversed. See, Uppsala Conflict Data Program and Peace Research Institute Oslo, *Armed Conflict Dataset, v.4-2010, 1946-2009* (2010).

2 B. Lynn Pascoe, “Rediscovering Preventive Diplomacy: A View from the United Nations,” remarks at the Brookings Institution, July 26, 2010.

The most favorable time to resolve disputes is at an early stage, before they turn into violent conflict.³ However, entry points for conflict prevention and mediation are particularly scarce at that point in the conflict cycle, as governments frequently fear that third-party engagement will internationalize the conflict and bestow legitimacy upon non-state armed groups or embolden opposition groups. Chapter VI of the Charter gives the Security Council an array of options that it can use to nurture a dispute's "ripeness" for peaceful settlement. These include, among others, inquiries, missions to the conflict theatre, recommendations, press statements issued by its president, the authorization of political missions and other types of United Nations field presence, and the encouragement and support of timely good offices by the Secretary-General.

Over the past ten years, five-sixths of armed conflicts involved states that were either engaged in another conflict at the time of the conflict onset, or that had emerged from separate conflict within the previous ten years. Ninety percent of the last decade's civil wars occurred in countries that had already had a civil war in the last thirty years.⁴ These characteristics of contemporary conflict underline the importance of undertaking concerted efforts to prevent conflict in the aftermath of, as well as the run-up to, armed conflict.

Recent Developments

In July 2010, under Nigeria's presidency, the Security Council held a thematic debate on preventive diplomacy. The Presidential Statement issued on that occasion⁵ was followed by a Presidential Statement in September, during Turkey's presidency, in which the Security Council "commits to following closely existing and potential conflict situations that may affect international peace and security, engaging with parties undertaking preventive efforts, encouraging the steps taken to de-escalate tension and build confidence, supporting efforts aimed at mobilizing the necessary expertise and capabilities available in and to the United

Nations."⁶ Since November 2010, conflict-prevention briefings of the Security Council by the Department of Political Affairs have provided a forum for informal consultations on emerging security issues in a number of countries, both on and off the Security Council's formal agenda.

From the outset of his mandate, Secretary-General Ban Ki-moon has called for reinvigorating preventive diplomacy. In 2008, the establishment of the Mediation Support Unit (MSU) in the Department of Political Affairs (DPA) coincided with the General Assembly's approval of a significant increase in the number of DPA staff. Prepared to deploy on short notice to assist UN and non-UN mediators globally with advice and analytic support, DPA's Standby Team of Mediation Experts completed its initial 15-month pilot phase of operations in 2009.

In recent years, the United Nations has significantly expanded the number of political missions and regional offices in Africa, Asia, and the Middle East. Between 2008 and 2010, for instance, the Special Representative of the Secretary-General and Head of the UN Office for West Africa (UNOWA) travelled to Guinea thirty-eight times to help facilitate the political transition in that country. So far, regional and international engagement in Guinea appears to be an example of successful preventive diplomacy, saving the country and its region from a potentially catastrophic conflict.

The inauguration of the United Nations Regional Office for Central Africa (UNOCA) on March 2, 2011 follows the establishment of the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) in 2007. The first such regional office, UNOWA, had been established six years earlier.

Based on the decision taken at an informal meeting on the margins of the General Assembly in September 2010, Finland and Turkey co-initiated and prepared, together with the members of the Group of Friends of Mediation, a draft resolution on "Strengthening the role of mediation in peaceful settlement of disputes, conflict prevention and

3 United Nations, *Report of the Secretary-General on Enhancing Mediation and Its Support Activities*, April 8, 2009, UN Doc. S/2009/189, para. 10.

4 World Bank, *Overview of the World Development Report 2011: Conflict, Security & Development* (Washington, DC, 2011), p. 2.

5 United Nations, *Statement by the President of the Security Council*, July 16, 2010, UN Doc. S/PRST/2010/14.

6 United Nations, *Statement by the President of the Security Council*, September 23, 2010, UN Doc. S/PRST/2010/18.

resolution.” The resolution, adopted on June 22, 2011, is the first within the United Nations system focused on mediation.⁷

The United Nations is hardly the only actor in the international system that has expanded its conflict prevention and mediation activities. National non-governmental organizations, academic institutions, and the media can play important roles in conflict prevention and mediation, as do states, regional and subregional organizations, and senior statesmen. In recent years, each of these groups has become increasingly active in conducting or supporting mediation and conflict prevention activities. These actors often have a familiarity with the parties and a proximity that can provide insight, perspective, and timely assessment, as well as early warning. For instance, just days after violence erupted in Kenya following the 2007 elections, prominent civil society representatives launched a multilevel peace initiative. The Panel of Eminent African Personalities, headed by former UN Secretary-General Kofi Annan, drew upon these efforts to move the parties closer to negotiations, while making good use of grassroots support from Kenyan society.⁸

In Africa, the African Union and the African regional economic communities (RECs), particularly through the Continental Early Warning System (CEWS) and subregional mechanisms, are playing an increasingly significant role in conflict prevention and mediation on the continent. Over the past two decades, the number of nonstate organizations and individuals engaged in peacemaking and preventive diplomacy has grown apace.⁹ Most contemporary peace processes involve several mediators, working sequentially or—more frequently—simultaneously. This trend places a premium on leadership and coordination. While mediators can usually achieve some degree of cooperation among themselves, more effective and sustainable coordination also requires dialogue among the states and intergovernmental organs sponsoring the various concurrent initiatives. The increasing number of groups of friends, contact groups, and liaison offices, as well as the appointment of joint envoys, represent different ways to facilitate coordination in multiparty processes for conflict prevention and mediation.

7 United Nations General Assembly, *Strengthening the Role of Mediation in Peaceful Settlement of Disputes, Conflict Prevention, and Resolution*, June 22, 2011, UN Doc. A/RES/65/283.

8 Elisabeth Lindenmayer and Josie Lianna Kaye, “A Choice for Peace? The Story of Forty-One Days of Mediation in Kenya,” New York: International Peace Institute, August 2009, p. 8.

9 Crisis Management Initiative, *The Private Diplomacy Survey 2008: Mapping of 14 Private Diplomacy Actors in Europe and America* (Helsinki, 2008).

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