FIIA REPORT 32

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Prospects and avenues for Finland as a peacemaker

Touko Piiparinen and Ville Brummer (eds.)

ULKOPOLIITTINEN INSTITUUTTI
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Introduction

Touko Piiparinen and Ville Brummer

The purpose of this report[1] is to explore the contemporary dynamics of peace mediation with a view to three specific objectives. First, it aims to identify the distinctive characteristics of *global* peace mediation and the roles played by different actors, particularly governments, NGOs and regional organisations, in mediation processes. It also describes the new forms of co-operation between these actors and analyse the challenges and opportunities of the new co-operation frameworks in global peace mediation.

Second, the report analyses the field of global peace mediation from the viewpoint of small countries. In particular, it aims to provide perspectives on the following questions: What kinds of opportunities does the changing field of conflict resolution and peacebuilding offer to small countries as active mediators? What kinds of consortiums are the most suitable forms of collaboration?

Third, the report aims to reflect these questions in view of the development of Finnish mediation capacities. Thus far, the debate on mediation in Finland has centred on the national capacities and strengths by which Finland can claim or reclaim a central position in peace mediation. Particularly in the immediate aftermath of the publishing of the Country Brand Delegation report[2], Finnish mediation was portrayed as a national project premised on the idea of Finland as a special case or *sui generis* power. However, to date, relatively little attention has been paid to the fact that Finland could learn a lot from the analysis of the mediation efforts of other states and other organisations, their institutional structures for conducting mediation operations and their cooperation arrangements in global mediation networks.

As Finland is currently in the process of designing and developing its own mediation capacities, it does not need to reinvent the wheel

[1] We are indebted to Eeva Innola and Maté Takacs for their technical support with regard to the editing of the report and the locating of sources, as well as their support regarding the organisation of events that led to this report.

[2] The final report of the Country Brand Delegation, Mission for Finland, can be downloaded at http://www.maabrandi.fi/wp-content/uploads/2011/06/TS_Report_EN.pdf

but can utilise the lessons learned from various alternative mediation arrangements in other states and agencies. It is precisely this outward-looking viewpoint which underlies the present report. Parts I and II of the report investigate the main dynamics and actors of the surrounding global environment of peace mediation in which Finland is situated. Part III analyses the different strategies and mechanisms by which other states operate and cope in that environment. Part IV examines the future prospects for Finland as a mediator.

Part I

Conceptual and theoretical framework

Globalised peace mediation

Touko Piiparinen and Ville Brummer

The concept of mediation

Peace mediation can be seen as one of the methods used in peaceful third-party interventions in crisis management and conflict resolution. In Article 33 of the UN Charter on the peaceful settlement of international conflicts, for example, mediation is listed together with other methods such as negotiation, inquiry, conciliation, arbitration and judicial settlement.

In this context, there are several distinctive factors between mediation and other methods used in peaceful interventions. Compared to arbitration and judicial settlement, for instance, mediation is less binding in that mediators have no authority to decide the dispute between the parties. Unlike in negotiation, the third-party actor in mediation does not have preferences on the result of the process, but only tries to assist other parties to find a solution that is acceptable to them. Mediation aims to end the conflict with a resolution that is acceptable to both parties to the dispute.[3] Mediation could, in fact, be described as a means of active assistance in negotiations,[4] which, compared to pure facilitation, entails a more active and dynamic involvement on the part of the mediator in relation to the parties to a conflict.

A mediator helps the disputants reach a settlement but lacks the power to make decisions for them, since the latter voluntarily participate in the mediation process.[5] The current research on peace

[3] Z William and S Touval, International Mediation in *Leashing the Dogs of War, Conflict Management in a Divided World,* United States Institute of Peace Press, Washington, 2007, p. 437.

[4] R Standifer, J Stark and J Wall, 'Mediation: A Current Review and Theory Development'. *Journal of Conflict Resolution*, vol. 45, no. 3, 2001, pp. 370–371.

[5] See for example J Bercovitch, 'Mediation in International Conflicts: Theory, Practice, and Developments', in *Peacemaking in International Conflict: Methods & Techniques*, I W Zartman (ed), United States Institute of Peace, Washington, D.C., 2007, pp. 164–169; United States Institute of Peace, *Glossary of Terms for Conflict Management and Peacebuilding.* Available at: http://glossary.usip.org/resource/mediation. Accessed on 8 September 2011.

mediation has forged a consensus that in order for mediation to happen at least three factors must be in place:

1. A structured form of interaction
2. The engagement of a third party
3. The mediator does not have the authority to impose an outcome[6]

The mediation process

In general, one can distinguish at least four phases in the mediation process:

Pre-talks: Often, before the official mediation process, there is a need for informal dialogue between the mediator and the involved parties on the basic framework of the mediation process. This may include, for example, discussions on confidence-building measures that should be taken before the official talks take place, identification of agenda points, as well as agreement on certain 'rules of the game' – such as a communication policy and timeline (if any) for the process.

Talks: This phase consists of a series of negotiations and dialogues, whereby parties identify and analyse different options and alternative solutions that could be included in the agreement. The process can be carried out in one or more parallel strands where some strands may focus on specific issues (such as security, elections, political reform, justice, etc.) and others may aim to synthesize the information.

Agreement: In this phase, parties make a final agreement and agree on mechanisms and roadmaps for the implementation of the agreement.

Implementation: This phase consists of activities such as monitoring of the implementation of the agreement, creating and reforming the institutions as agreed in the peace agreement, and a series of negotiations on issues that were left unresolved in the agreement phase.

[6] Standifer, Stark and Wall, *Mediation*, p. 375.

Who mediates?

In general, one can identify at least four kinds of actors that play a crucial role in the present world of peace mediation:

Traditionally, mediation has mainly been seen as a monopoly of **states.** Even though that monopoly no longer exists, states are still important actors in peace processes. First, there are no signs that either the great powers such as the US, France and Russia, or small states like Norway and Switzerland, which have traditionally played an important role in peace mediation, will be decreasing their profiles as mediators in the international arenas. Second, alongside these traditional actors, new states such as Turkey, Qatar, Brazil and South Africa are increasing their profile as mediators, both regionally and internationally.

The United Nations has traditionally played a central role in global peace mediation. During recent years its mediation capacities have been increased due to several structural reforms and operational innovations, including the establishment of the Mediation Support Unit in 2008 and the increased focus on preventive diplomacy by Secretary-General Ban Ki-moon.

Regional and sub-regional organisations have recently become more active in managing and resolving conflicts. Moreover, they are increasingly adopting mediation as part of the toolbox that they can use for supporting different peace processes. In Africa, for example, most of the mediation processes are managed or carried out in close cooperation with the African Union and/or sub-regional organisations such as ECOWAS (Economic Community of Western African States) and SADC (Southern African Development Community). Other regional organisations such as the OSCE (Organization for Security and Cooperation in Europe) and ASEAN (Association of Southeast Asian Nations) are also increasingly interested in utilising mediation and mediation support as a tool for supporting the resolution of conflict in their respective regions.

In recent years, **private diplomacy actors (PDA)**, such as the Crisis Management Initiative, HDCentre, Berghof Peace Support, Carter Center and ACCORD have increased their role in international peace mediation. Usually the role of PDAs is limited to certain phases of the

peace process such as initial talks; to certain levels such as Track 1.5 or 2; or to certain segments such as security or justice issues of the peace process. However, sometimes PDAs can also act as an official, lead negotiator. One example is the role of President Martti Ahtisaari and the CMI in the Aceh peace process in 2005.

The changing nature of conflicts and mediation

Within the last few decades, the nature of conflicts has been in a state of flux. In particular, the parties to conflicts have become more diverse. Pure inter-state conflicts have become much less common and today's conflicts are increasingly intra-state civil wars which involve not only government representatives and official state structures but also a complexity of other actors like insurgency groups, tribal leaders and religious authorities in unofficial and official sectors. As a result of this shift, states increasingly resort to a network model as their preferred mode of operation in initiating and conducting mediation interventions, as both researchers and practitioners of peace mediation have recently pointed out.[7] In practice this means that traditional actors, such as governments, may have different roles in mediation processes, and efficient interventions will require closer co-operation with other governments, international, regional and sub-regional organisations and NGOs. Moreover, the boundaries between different phases and tracks of mediation are becoming more blurred, and there is a need for proper coordination between different elements of the process.

The explanatory factors for the demand for new actors, new forms of co-operation and particularly the network model can be roughly divided into two groups: extraneous factors pertaining to the environment of peace mediation and those related to the innate strengths of the network model, including mobility and the effectiveness it offers to mediators.

When it comes to the extraneous factors, the global environment or 'climate' of peace mediation has become increasingly competitive, fragmented and disaggregated since it involves a greater number

[7] See, for example, I B Neumann, 'Peace and Reconciliation Efforts as Systems-Maintaining Diplomacy: The case of Norway'. *International Journal*, vol. 66, no. 3, 2011, pp. 563–579.

and diversity of mediators than ever before. One indication of the increasing diversity of mediators is the growing importance of regional organisations in peace mediation alongside the traditional actors like the UN. Before 1975, regional organisations conducted only two mediations per year on average. Between 1989 and 1995, regional organisations undertook 116 attempts at mediation, which represents almost 20 attempts per year.[8] According to this calculation, the peace mediation activities of regional organisations had risen tenfold.

As the international playing field of mediation is becoming increasingly crowded, at least with respect to certain conflicts, mediators need networking and an implicit or explicit division of labour to avoid the unnecessary 'races of mediators' and undisciplined 'free-for-all' mediation, as witnessed in Sudan and many other contemporary conflict zones. Uncoordinated mediation efforts not only drain mediators of their limited resources but also undermine peace processes as such. Coordinated mediation, on the other hand, would bring together numerous mediators with a rich variety of tools, resources and techniques which, combined, could bring value added to any particular mediation process.[9]

As for the innate strengths of the network model in mediation, global politics in general implies a move beyond monolithic, centralised, hierarchical and rigid operational structures towards more delayered and flat organisations in virtually all sectors of life. This is mainly because the network logic enables flexible and hence more efficient responses to emerging conflicts as well as the rapid exchange of information between interacting units.[10] Networking appears particularly relevant to peace mediation. Contrary to a common assumption, mediators are seldom hired by the parties to conflict, but they usually have to 'market' their services to potential 'customers' based on their usefulness and prospects for success.[11]

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[8] A J Bellamy, *Global Politics and the Responsibility to Protect: From Words to Deeds*, Routledge, London, 2011, p. 145.

[9] C A Crocker, 'Thoughts on the Conflict Management Field after 30 Years'. *International Negotiation*, vol. 16, no. 1, 2011, p. 3.

[10] See for example J Urry, *Mobilities*, Malden, Polity Press, 2008; M Albrow, *The Global Age: State and Society Beyond Modernity*, Polity Press, Cambridge, 1996, p. 125.

[11] W Zartman, *Negotiation and Conflict Management: Essays on Theory and Practice*, Routledge, New York, 2008, p. 167.

States aspiring to become mediators benefit from global networks which enable them to make inroads into those areas where their services and special skills of mediation can best be utilised. Moreover, networking in itself has a catalytic effect on mediators: a successful mediation process in one instance often leads to the demand for their mediation services in another, as aptly evidenced by the careers of internationally renowned mediators such as Martti Ahtisaari and Harri Holkeri.

These benefits of the network logic largely explain the increasing tendency of states to resort to non-governmental organisations and private diplomacy actors in performing mediation functions. Non-governmental organisations are often superior compared to government structures in terms of their agility and capacities for networking, which enable them to rapidly conduct new mediation operations and establish contacts abroad. On account of their role as unofficial actors, NGOs can perform confidential mediation out of the spotlight, if necessary. The sub-contracting or outsourcing of mediation to NGOs also allows a state to bypass the rigid, inflexible and hierarchical decision-making of governmental structures which hamper rapid and mobile mediation interventions. Moreover, NGOs are often the most suitable actors to conduct Track II mediation, which means unofficial diplomacy conducted by mediators among grassroots and midlevel opinion leaders from the religious, tribal and business sectors and civil society in adjunct to the formal peace negotiations (Track I mediation) conducted by official actors.

The status of peace mediation in the international normative architecture

The normative basis of peace mediation is constituted by a variety of sources consisting of binding international conventions and soft law, including, in particular, Article 2(3) and Article 33 of the UN Charter, the Declaration on the Peaceful Settlement of Disputes adopted by the UN General Assembly in 1982[12] and the Declaration on the Prevention and Removal of Disputes adopted in 1988. As Jacob Bercovitch

[12] UN Doc. A/RES/37/10 (1982), 15 November 1982.

summarises when writing about the main substance of the normative sources of mediation that can be found both in binding norms of international law and in soft law, '[T]here is a strong normative expectation regarding non-use of violence [between states] and the desirability of managing conflicts peacefully.'[13] Although the aforementioned legal provisions clearly imply that peaceful means of dispute settlement, including mediation, should be applied as the preferred method of international conflict management, in practice political realities determine its use or non-use in any particular conflict situation.

Although both mediation and legal measures are listed as means of peaceful dispute settlement in Article 33 of the UN Charter, the process of mediation differs from legal means of dispute settlement in terms of the control over the process. Mediation gives control of the outcome of dispute settlement primarily to the parties themselves, while legal means, including adjudication, arbitration and judicial settlement, give control of the outcome primarily to a third party or parties such as an arbitral tribunal or an international court. International adjudication, unlike mediation, usually involves a legal obligation on the part of the parties to the dispute to accept the third party's decision as settling the dispute.[14] This difference aptly explains why the mediator's personality and capacity to convince and persuade parties to reach a settlement is of paramount importance in any particular mediation process.

[13] Bercovitch, *Mediation in International Conflicts*, p. 164.

[14] Richard B. Bilder, 'Adjudication: International Arbitral Tribunals and Courts', in *Peacemaking in International Conflict: Methods & Techniques,* I W Zartman (ed), United States Institute of Peace, Washington, D.C., 2007, p. 195.

The multi-track model of peace mediation

Mikael Wigell

Recent years have seen the proliferation of non-state, unofficial third-party actors engaging in peace mediation. These private actors operate at an informal level that may enable a more creative approach to mediation, free from the political and bureaucratic baggage that may hamper official diplomatic third-party intervention, the so-called Track I mediation (henceforth 'T1'). Track II mediation ('T2') reflects the changing nature of diplomacy more generally, with non-state actors increasingly engaging in diplomatic initiatives, including peace mediation.

Yet, while T2 initiatives are often indispensable for dealing with contemporary conflicts, they have contributed to a proliferation of mediators who have been found to sometimes work at cross-purposes and undermine each other's efforts. When mediators compete with each other, fail to communicate or avoid taking responsibility for the process, mediation is likely to do more harm than good. This calls for better coordination across the tracks of mediation so as to avoid the problems with third-party congestion. Through better coordination, the complementarity of the different tracks of mediation can be realized, bringing considerable synergies to peace mediation. This prospect will be examined in more detail below.

Multi-track mediation

In the theoretical literature, as well as in international practice, there is an emerging consensus that the complexities of contemporary conflicts require mediation to proceed on multiple tracks. An official, formal track is needed to deal with high politics and to give 'muscle' to the mediation effort. Such T1 mediation relies directly on the power and resources of states and official international and regional organisations. Clearly, only T1 interventions can muster the full panoply of leverage-based diplomatic mediation techniques ranging from offers of side payments to coercive threats such as sanctions and

the use of force. These carrots and sticks are often indispensable in cajoling the belligerents to the bargaining table and pressurizing the top leadership into a settlement. At the same time, this approach will do little to ensure the parties' ownership of peace settlements and prepare the ground for the deeper social and psychological change necessary for long-term sustainability.

In order to make peace stick and create conditions for sustainable reconciliation, it is also necessary to work from the bottom up, focusing on developing wider constituency support among the broader public. As argued by prominent scholars in the field, engaging this broader constituency, outside the narrow confines of elites, 'may prove to be essential not only in getting the parties to agree on a settlement but also in building up and sustaining pressures and incentives required to get the parties to live up to the terms of their agreement'.[15] For that to happen, another unofficial, informal track (T2), which seeks to transform the underlying system of conflict using communication-facilitation strategies, is needed.

T2 mediation can contribute to peace processes in a number of ways. Employing unofficial T2 mediators can circumvent the 'entry' problem of third-party intervention in internal conflicts. They are often perceived with less suspicion than formal diplomats and may thus find it easier to gain access to the warring parties. Concepts such as state sovereignty and non-interference that retain great potency in the international system are less of a problem with T2 efforts. T2 mediators also find it easier to talk to actors such as terrorists or armed groups which T1 mediators may not be allowed to have contact with for legal or political reasons. Often, NGOs and other humanitarian organisations already have a presence on the ground in conflict zones, endowing them with a deep understanding of the underlying relationships, as well as a wide network of contacts and channel of communication between the adversaries. Precisely because they lack coercive capabilities, they can gain the trust of the warring parties and provide for a safe and non-judgemental environment in which the participants can engage in private discussions and explore ideas for resolution in a non-binding and flexible way. Mediation research has convincingly shown how such

[15] C A Crocker, F Hampson and P Aall, *Taming Intractable Conflicts: Mediation in the Hardest Cases*, United States Institute of Peace Press, Washington, D.C., 2004, p. 179.

'cheap talk' can help build new relationships and trust among the disputing parties, change attitudinal constructs and allow them to engage in the kind of behavioural change required to foster support for the peace process from below. In the sort of value-based conflicts about identity issues common today, T2 mediation with its focus on transforming the underlying system of conflict is often indispensable.

But as with T1-mediated interventions, T2 mediators also suffer from notable limitations, especially in mediating asymmetric conflicts. The power imbalances that characterize asymmetric conflicts may require the mediator to empower the weaker party in order to create the structural ground for meaningful negotiations and pave the way for a genuine settlement. T2 mediators, however, usually lack the resources to help equalize the relationship between the warring parties. Sure enough, some T2 actors, through educational programmes, help with strengthening negotiation skills and other capacities. Yet, in situations of severe power imbalances, such capacity-building may not be enough to put the weaker party, often a rebel group, on a more equal footing with the stronger party, usually a government. In the case of Mozambique, for example, the leader of the Renamo rebel movement, Afonso Dhlakama, fearing that elections were rigged by the government, could only be persuaded to return to the peace process after the UN gave written guarantees that it would investigate every complaint pressed by Renamo. Also instrumental was the strong backing of Italy and the US in helping to turn Renamo into a political party with a chance to compete with the Marxist-led government party, Frelimo. Importantly, only T1 mediators can lend official recognition to rebel groups, which can often provide an important incentive for bringing them to the table. In general, T2 initiatives may find it difficult to attract high-ranking officials, particularly from the stronger side, to get involved in the kind of reconciliation programmes and problem-solving workshops that T2 mediation revolves around. Lacking tangible carrots and sticks, T2 mediators, on their own, cannot use the kind of leverage-based diplomatic means available to T1 mediators.

Bearing in mind these very different strengths and weaknesses that characterize T1 and T2 mediation it seems obvious that the most effective approach should be to combine them, harnessing the synergies from their complementarity. Multi-track mediation opens up the prospect of dealing with the complexities of contemporary

conflicts in a more holistic and flexible way. When one track is blocked, the activities on another track can create a new opening and help move the process forward. In the case of the process that led to the Oslo Accord, for instance, Norway was able to open up an alternative channel to negotiations, by using a nongovernmental partner, and give impetus to the process when the US-led official negotiations had reached a deadlock.[16] Multi-track mediation allows for the sharing of the costs and risks of mediation, ensuring a better supply of mediators and services also in the most intractable of circumstances. As was argued above, in some circumstances T2 mediators enjoy a comparative advantage in gaining entry into a conflict and may thus be needed to prepare the ground for subsequent T1 negotiations. Indeed, during the pre-negotiation phase, T2 mediation may serve as a critical chain of communication, helping pave the way for official negotiations at a time when top leaders will not talk to each other. Such chains of communication established by T2 mediation can open up new avenues for official negotiations, help build confidence between T1 leaders and generate new ideas for T1 mediation.

Depending on the context, T2 actors are sometimes the ones actually best placed to handle most of the negotiating, but may be in need of the kinds of sticks and carrots that only T1 actors can provide. A case in point is the Mozambican peace process in which a religious group (Sant'Egidio) was the main mediator, but it was provided by logistical aid and technical advice from state actors (chiefly Italy and the US) who, as indicated above, also helped fund Renamo's transformation from a rebel movement into a political party and exercise leverage on the parties when needed, and where the UN helped manage negotiations as well as the implementation of the settlement.[17] On the whole, it can be argued that T1 and T2 interaction holds the best prospects for a wider process of constituency-building

[16] J Egeland, 'The Oslo Accord: Multiparty Facilitation Through the Norwegian Channel', in *Herding Cats: Multiparty Mediation in a Complex World*, C A Crocker, F O Hampson and P Aall (eds), United States Institute of Peace Press, Washington, D.C., 1999.

[17] See for example A Bartoli, 'Mediating Peace in Mozambique: the Role of the Community of Sant'Egidio', in *Herding Cats*, Crocker, Hampson and Aall (eds), United States Institute of Peace Press, Washington, D.C., 1999.

whereby all levels – international, national and local – become engaged in the peace process.

However, multi-track mediation is no panacea and poses a set of problems of its own that will need to be dealt with in order to make it work.[18] In particular, it calls for careful coordination between tracks and mediators to avoid overlap and problems associated with mediator crowdedness, a situation in which a number of third parties each pursue their own disparate and often competing initiatives without any sense of a common solution. If there is no coordination between the tracks, the protagonists can easily go 'forum shopping' and play the competing mediators off against each other. A related problem concerns 'spoilers' and the difficulty in isolating them when peace is being mediated on multiple tracks. While multi-track mediation allows for the inclusion of all relevant actors with a stake in peace, and thus sets the stage for a broad ownership of the peace process enhancing its long-term sustainability, it may simultaneously provide opportunities for spoilers to sabotage the process, particularly if no mechanisms exist for coordinating mediator leverage. Also, if no primary track of mediation exists, there is a danger that the different mediators will pass both responsibility and blame when things go wrong. It may soon lead to a situation in which the peace process suddenly finds itself orphaned.

In general, multi-track mediation always runs the risk of communication gridlock and confusion caused by mediators sending mixed messages, problems that need to be dealt with through a close coordination between the relevant tracks. Indeed, it is vital that both research and practice start paying more attention to the question of coordination and ways to facilitate it.

Recommendations: Facilitating coordinated mediation

Coordinating the activities of the different tracks of mediation is essential to avoid mediator overlap and congestion that will result in wasted resources and inefficient operations. Efficient multi-track mediation requires connecting the different tracks in either

[18] For a discussion, see C A Crocker, F O Hampson and P Aall, 'A Crowded Stage: Liabilities and Benefits of Multiparty Mediation'. *International Studies Perspectives* 2, no. 1, 2001, pp. 51–67.

a simultaneous or sequential manner. But that is easier said than done. T1 and T2 mediators often view each other with suspicion, complicating joint action. It is imperative that they start recognizing the complementary potential of their efforts as well as the harmful consequences of them remaining disjointed. Realising the full potential of multi-track mediation requires both an attitudinal and behavioural change. What follows is a set of proposals for how to facilitate better coordination.

First, official mediators need to put systems in place for identifying relevant unofficial mediators among the local and international NGO community, including the identification of experts who can be contracted to assist with analysis and problem-solving.[19] This involves establishing forums for networking among T1 and T2 mediators. States and international organisations should hold regular workshops and meetings with private diplomacy organisations and experts to build chains of communication and trust across the official and unofficial lines of division.

Second, and related to the above, communications systems need to be designed so that T1 and T2 mediators can remain in constant touch during the peace process. Sharing of information is vital so that all actors know what is happening across the tracks. Joint assessments of the situation, coordinating contacts and integrating personnel, resources, strategies and operations are elements that serve to enhance communication and, ultimately, coordination.

Third, coordination entails coming to an agreement about the specific roles that each actor will play. It is particularly important to agree on who will take the leading role, shouldering the responsibility for overall coordination, making sure promises are kept, timetables respected, resource commitments delivered on and that the matching commitments by the adversaries are implemented, as well as providing the hub for communicating across the tracks. In consultation with the other mediators, the lead mediator should come up with a specific plan to guide operations and enshrine both the short-term and long-term commitments of the different actors.

Such a coordinating role should particularly suit smaller states with a good international reputation. Norway and Switzerland, for

[19] R Jackson, 'Internal War, International Mediation, and Non-official Diplomacy: Lessons from Mozambique'. *Journal of Conflict Studies* vol. 25, no. 1, 2005, pp. 153–176.

example, have provided 'good offices' for coordination, being able to both reach down to local civil society actors and reach out to relevant regional and international organisations. Small states may be particularly well placed to provide the hub for coordination as they are seldom perceived as a threat by the actors involved, while still containing the official diplomatic resources and networks that may be necessary to uphold a collaborative and complementary peace process on different tracks. In this, however, they need to make sure that they themselves are able to withstand the long-term commitment that such an effort necessarily entails.

Part II

Linkages of states to other actors: International, regional, sub-regional and non-governmental organisations

States, international organisations and other actors in the world of peacemaking

C. Andrew Marshall

This article argues that while there will always be a role for great power interventions and for large multilateral organisations, such as the United Nations and regional organisations in global security governance, they no longer have the primacy. In fact, the field of conflict resolution has undergone a series of reasonably dramatic changes since the end of the Cold War. This has included the arrival on the scene of a multiplicity of new peacemakers, including private diplomatic initiatives and negotiations between principal political actors at the leadership level facilitated by non-governmental organisations.

Mediation and the evolution of the practice

The resolution of conflict, as practiced over time, has by its very nature been a political activity carried out by political representatives, primarily on behalf of states. Mediators, whether a third party or not, were therefore usually diplomats, politicians or other representatives of governments, most of whom had a stake in the outcome of the conflict. There were also occasional initiatives of other actors, such as religious groups or other elements of civil society playing the role of the trusted intermediary between armed groups. However, over the course of the last two decades we have seen a significant increase in the number and variety of actors involved in attempts to prevent, mitigate and resolve armed conflict.

Who is making peace?

The reasons why peace agreements are being achieved are many and can partly be ascribed to the increase in the number, scope and type of mechanisms for third-party conflict management, of which there are also many.

International, regional and sub-regional organisations

The Charter of the United Nations states that one of its founding principles is to 'save succeeding generations from the scourge of war.'[20] In an effort to accomplish this mandate and meet the increasing demands of the times, the United Nations has undertaken significant efforts to increase its arsenal of peacemaking tools, be they peacekeeping, mediation support through the Mediation Support Unit and the creation of the Policy and Mediation Division, the provision of good offices, the fielding of Special Representatives or a host of other related activities. These assets are reinforced by the presence of supportive regional institutions and actors from the European Union, the African Union and sub-regional bodies.

The advent of active regional and sub-regional organisations with peacemaking mandates has advanced the cause of peace enormously. Africa is probably the most advanced with regard to the tools and institutionalized architecture at its disposal, including the African Union and the sub-regional organisations; in the east the Intergovernmental Authority on Development (IGAD); in the west the Economic Community of West African States (ECOWAS), and in southern Africa, the Southern African Development Community (SADC). Today there is real resonance to the slogan of 'African solutions to African problems'. This is in contrast to Asia where there is no active regional conflict resolution organisation. However, the Association of Southeast Asian Nations (ASEAN) is taking cautious and incremental steps towards creating its own conflict prevention and mitigation structures.

National players

National states continue to play prominent roles in peacemaking, but some '...involved in conflicts may be suspicious of state actors

[20] Quoted in the preamble of the Charter of the United Nations, 1945. Available at: http://www.un.org/en/documents/charter/preamble.shtml.

and their possible agendas… .'[21] This is certainly the case with the United States and even, but to a much lesser degree, some of the more established national peacemakers such as Switzerland and Norway. However, we are seeing the rise of non-traditional states taking on new roles in facilitating dialogue within and outside their respective regions.

In the Near and Middle East, we are witnessing the meteoric rise of Turkey as a key player in a number of important past and current regional processes, including between Syria and Israel, with proscribed actors Hamas and Hezbollah, and in cooperation with Brazil on a nuclear agreement with Iran. Turkey has also been open to engaging with the Afghan Taliban. The tiny wealthy Emirate of Qatar has worked to position itself in the world of peacemaking and conflict mediation by mediating in Yemen, successfully bringing about a political accord in Lebanon, while also being active in Darfur and potentially other locations.

South Africa and Nigeria represent regional state forces in conflict peacemaking in Africa, while we may well see Brazil playing a similar role in the South American region, having ventured onto the international stage along with Turkey, in attempting to secure a nuclear agreement with Iran.

Non-state actors

There has been a growing acceptance and an increase in the growth of opportunities for and hence influence of private diplomatic initiatives, both as the lead mediators and in providing important mediation support to institutional or state peacemakers.

The Secretary General's report to the Security Council in 2009 listed, amongst others, the Finnish Crisis Management Initiative (CMI), the Swiss-based Centre for Humanitarian Dialogue (HDC), the American Carter Center and the Italian lay Community of Sant'Egidio as key non-governmental actors in the business of conducting mediation.[22]

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[21] Quoted in N Amies, 'Governments turn to NGOs as proxy conflict negotiators'. *Deutsche Welle*, July 2011. Available at: http://www.dw-world.de/dw/article/0,,15211415,00.html.

[22] Report of the Secretary-General on enhancing mediation and its support activities, United Nations Security Council S/2009/189, 8 April 2009. Other organizations, which have broadly speaking been involved in peace processes, include for example the Search For Common Ground, the United States Institute of Peace, the Conciliation Resources, the Berghof Foundation for Peace and the Toledo International Centre for Peace (CitPax).

A particularly interesting example of a private diplomatic initiative took place in 2006 when the Crisis Management Initiative and former President and Nobel Prize Laureate Martti Ahtisaari acted as the lead mediator, without a mandate from a formal actor in Aceh, in concluding the comprehensive peace agreement between the Free Aceh Movement (GAM) and the Republic of Indonesia. The CMI agreement was preceded by the signing of the Cessation of Hostilities Agreement between the conflict parties in December 2002, mediated by the Centre for Humanitarian Dialogue.

Other examples include the active involvement of the Carter Center in mediating between Hamas and Israel, which in turn led to the Egyptian-mediated June 2008 ceasefire and former Secretary-General Kofi Annan's role in negotiating a settlement in the post-election violence in Kenya in 2008. Private mediators have also played important roles in the conflicts in Nepal (The Carter Centre, Sant'Egidio and HDC), and the Philippines (HDC, Conciliation Resources).

Private institutions, and the role they play in supporting regional and sub-regional organisations, particularly in Africa, have made enormous contributions to the fledgling operations of these regional outfits.

Many observers have concluded that the rise in the number of peacemakers, in their many guises, has necessarily resulted in an increase in the effectiveness of the international peacemaking community. Whatever the case may be, one clear result is that the mediation of armed conflict is now a prominent ingredient of international politics, and private diplomatic efforts constitute a growing and accepted component part of these activities.

Private diplomacy is a form of non-intrusive diplomacy run by a non-state actor designed to create space for armed opponents to engage in unrestricted dialogue on ways and means of peacefully resolving their conflicts.

The concept of Track I diplomacy which is conducted by and through states, and more recently through regional organisations, is far from moribund but it no longer has a monopoly on peacemaking. As noted earlier, the field of peacemaking is undergoing both a proliferation of actors and a partial process of privatisation, with the old statist power politics approach losing ground to private initiatives. Professor Andrea Bartoli, Dean of the School for Conflict Analysis and Resolution at George Mason University in Virginia, states:

> [After] the end of the Cold War, the role of NGOs in international conflict resolution has become an established and important feature of a negotiations system that is adapting to the extraordinary challenges of state failures, state formation, and state cooperation.[23]

The proliferation of peacemakers is due to the fundamental thaw in international relations, the complex nature of current conflicts and the realisation by many that not one, two or even three organisations or states can be everywhere all of the time and that different players with different skill sets are required to initiate, lead and implement the many component parts of a peace process. Finally, today it is also both good politics and fashionable to be involved in conflict resolution, which in turn has fuelled a degree of competition amongst those wanting to become involved.

States, and on occasion multilateral institutions, are often ill-suited to address the delicate and complicated political, logistical and social issues that such processes can generate. The reasons are manifold, but some examples as to why certain states and other institutional third parties may not be acceptable as mediators to a conflict are easily detectable.

Firstly, issues of national sovereignty and the sensitivity associated with having a national or multinational entity directly involved in the internal affairs of a nation can speak against the traditional actors becoming involved. Examples of such instances include the Aceh peace process and, at least initially, the conflict in Darfur Sudan.

In another scenario, political sensitivities can dictate the need for strict confidentiality and a hermetically sealed process run by a single entity rather than a large multi-sectoral approach, as it has a greater chance of maintaining the secrecy of the process.

As a third example, a major state mediator will necessarily bring its political baggage, including domestic and international considerations, to the table, thereby influencing and possibly biasing the eventual outcome. The US role in the Middle East can be seen as an example of such a situation.

Additionally, conflicting economic interests can play a role, particularly when extractive mineral interests are at stake. There are also instances where institutional agendas of states, member states

[23] Amies, 'Governments turn to NGOs as proxy conflict negotiators'.

or other governance structures lead to attempts to influence the parties or the outcome of a mediated process. At times, institutional mandates can also be inhibited by perceived security constraints.

Finally, the sheer lack of adequate experience, expertise and the necessary human resources to start and see a process through to its conclusion can prevent more traditional actors from successfully engaging in a peacemaking process.

Invariably, one or more of these issues should, but does not always proscribe the active involvement or engagement of states and/or multilateral organisations in mediation processes. However, when recognized, it does create space for private diplomatic initiatives which do not carry the same political and economic baggage, but simply have the positive outcome of the process as their goal.

Today, wars seldom if ever end in a clear-cut victory. It is more likely that parties to a conflict will at some point decide that it is time to sit around a table and negotiate a deal, often in the presence of a mediator. This desire to negotiate a resolution is more often than not the result of international or regional pressure, or because both sides have come to the conclusion that they cannot win a decisive military victory.

In a number of instances, private diplomatic initiatives were instrumental in developing what Zartman calls the ripeness of a conflict, or the period of time when a conflict has reached a 'mutually hurting stalemate.'[24] This critical period may well be a time when a state belligerent is still not prepared to accept an international political presence in its internal affairs and therefore a time when an impartial, discreet and professional private diplomatic initiative may be welcomed and herald the beginning of a mediated process.

Under such conditions, an initial private diplomatic initiative to 'informally tee up' a mediated process often meets with greater acceptance by the two parties than a more formal and potentially public political process. The sovereignty of the nation is not trampled on, while the armed opposition will consider the private diplomatic initiative as a breakthrough in their campaign for international visibility. In addition, the stakes for the two belligerent parties are simply not as high when engagement and dialogue are facilitated by

[24] P L Knopf, *'Enhancing U.S. Diplomatic Engagement with Nonstate Armed Groups'*. The Council on Foreign Relations Working Paper, New York, 2011.

a private organisation. If the process fails, both sides can easily walk away with little loss of political face.

In many instances a state or a multilateral organisation interested in mediating a conflict may lack access to the armed group. This may be as a result of security or political impediments or they may simply lack the human resources necessary for the time-consuming and often dangerous process of accessing and engaging armed groups, securing their confidence and then of laying the groundwork for a mediated process. Nevertheless, in wanting to support, but being unable to play an immediate role, a state may reach out through an acceptable non-state actor to engage one or more of the belligerents.

In a recent paper published by the Council on Foreign Relations, Payton Knopf argues that not only is there a need for the US State Department to assiduously prepare itself for engaging in the future with what he refers to as non-state armed groups, but that when not possible, reaching out through private diplomatic channels, as the US did in engaging with the rebellion in Darfur, is a practical means of beginning what could eventually lead to an official diplomatic engagement.[25]

The advantages of using private channels to talk peace

If the once near monopoly of states as peacemakers is waning and the role of regional organisations is growing in conflict prevention and resolution, it is useful to consider the factors that permit a private actor to engage in similar processes in a period of fewer conflicts and in a more competitive environment. Here are some examples of such factors:

1. The use of an independent non-governmental organisation to facilitate dialogue represents much less of a threat to national sovereignty and is therefore far easier for a government to accept.
2. A private diplomatic initiative between belligerents, often conducted in confidence, does little to provide or proffer the non-state armed actors legitimacy, an issue of considerable concern to most governments.

[25] Knopf, *Enhancing U.S. Diplomatic Engagement*.

3. The acceptance of an informal private diplomatic initiative has an immediate impact on reducing violence by providing a previously non-existent conduit for grievances which in turn, at least initially, leads to a reduction in violence.

4. Private organisations can react to situations far more swiftly, with fewer bureaucratic constraints, and with greater ease for the kind of immediate and frequent political, tactical and logistical decisions required of mediators.

5. In today's world of restrictions on engaging proscribed actors and pariah groups in difficult to access and possibly dangerous environments, private organisations can go to places, meet people and do things that government operatives and representatives of multi-national organisations cannot or will not do.

6. The encumbering political baggage which many states and some regional organisations carry, or are perceived by one or more of the belligerents to be carrying, does not apply to private organisations. As such, they can ensure an impartial approach, taking no political views or cues from political players or powers with an interest in the conflict, and ensure that the all-important playing field is as even as possible.

7. The provision of discreet logistical support for belligerents, and the selection of equally discreet and appropriate venues and other facilities for meetings, is of the utmost importance and must be kept confidential, often for reasons of security.

8. With the majority of conflict resolution processes starting under particularly precarious circumstances, private organisations can work discreetly, if not secretly.

9. Enormous patience and perseverance are necessary, for as we all know the process of engaging both governments and their armed opposition groups is neither fun nor quick – rather it is a trying exercise that has no defined timeline.

Conclusion

Private mediation organisations are slowly, perhaps grudgingly, becoming recognized as important players in the world of peacemaking. The impartiality, expertise and experience they can deploy with ease and speed should never be overlooked nor underestimated. Rather, it should be utilized. Their ability, and indeed willingness, to go to tough places and meet difficult people and invest in them the time and continuity required to secure the confidence of the parties to a conflict is important, often groundbreaking.

In a world that continues to be plagued by conflict there is much that private mediation organisations can do to support efforts to maintain international peace and security. In acknowledging the presence and work of private peacemaking organisations, states and regional organisations should do more to facilitate and support their work, especially in areas where they have an identified comparative advantage.

The coordination of international peacemaking efforts will not be easy and it will take time to get it right. Private mediation organisations have a right and an obligation to participate in such efforts.

UN peace mediation

Touko Piiparinen

The institutional framework

The UN is still the single most active mediator in international relations. Peace mediation lies 'at the heart of the mission of the United Nations'[26], enshrined in several articles of the UN Charter. According to the calculations of Uppsala University's Conflict Data Programme, the UN was engaged in more than half of all armed conflicts and accounts for one sixth of the total number of mediation processes in the period from 1992 to 2009.[27] In the UN context, mediation has typically been conducted by the Special Representatives of the Secretary-General, the envoys of the Secretary-General and UN resident coordinators. Their leverage in peace processes derives mainly from the legitimacy of the UN as a universal organisation whose guiding principles are integrity from particularistic political interests and devotion to the fulfillment of universal humanitarian values. The UN can launch mediation operations upon the request of the belligerent parties or upon the request of any of the main bodies of the UN Organisation, namely the Security Council, the General Assembly and the Secretariat.

During his tenure, Secretary-General Ban Ki-moon has emphasised and revitalised the idea of 'preventive diplomacy' as a central instrument in the toolbox of UN conflict management.[28] Some of the most recent examples of the potentials of the UN in mediation

[26] This was the expression used by the Swiss President of the General Assembly Joseph Deiss at the General Assembly meeting on peace mediation during its 65th session on 22 June 2011, which adopted the first General Assembly resolution on peace mediation. UN Doc. GA/11104.

[27] S J A Mason and D A Sguaitamatti, *Mapping Mediators: A Comparison of Third Parties and Implications for Switzerland*, Center for Security Studies and Swiss Federal Institute of Technology, Zurich, 2011, p. 18.

[28] See for example *United Nations, Preventive Diplomacy: Delivering Results. Report of the Secretary-General.* S/2011/552, 26 August 2011. Available at http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/SG%20Report%20on%20Preventive%20Diplomacy.pdf.

are the efforts of the UN regional office to provide good offices in Kyrgyzstan and the positive impact that Haile Menkerios, the Special Representative and Head of the United Nations Mission in Sudan,[29] had on persuading the Sudanese government in 2010 and 2011 to let the referendum for the independence of South Sudan to go ahead.[30] The case of Kenya stands out as another prime example of the UN's impact on mediation processes. The African Union and the mediation team led by the former UN Secretary-General Kofi Annan contributed to the prevention of the escalation of post-election violence and mass killings[31] that had erupted in Kenya in late 2007 and early 2008. The African Union and Annan's team managed to facilitate a power-sharing deal between the country's president, Mwai Kibaki, and the main opponent, Raila Odinga, which ended the crisis and led to the appointment of Odinga as prime minister in April 2008. The UN has played a significant role not only as a lead mediator but also in facilitating and supporting mediation efforts led by others. In Burundi, for instance, the UN supported African mediation efforts led by the former Tanzanian president, Julius Nyerere, and other prominent African leaders, which partly contributed to the prevention of mass atrocity crimes and the spread of genocidal hatred from the neighbouring Rwanda to Burundi.

With regard to the support mechanisms of mediation, the Mediation Support Unit (MSU) was established in 2008 under the auspices of the Department of Political Affairs at the UN Secretariat in order to provide advisory, financial and logistical support to peace processes undertaken by the UN. Like the UN peacebuilding architecture[32], the MSU stems from a comprehensive reform process of the UN launched at the UN World Summit of 2005. This partly explains the fact that the MSU reflects certain institutional aspects that are quite unusual in the UN bureaucracy.

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[29] Menkerios was later appointed the UN Secretary-General Special Envoy for Sudan and South Sudan.

[30] R Gowan 'Floating Down the River of History: Ban Ki-moon and Peacekeeping, 2007–2011'. *Global Governance*, vol. 17, no. 4, 2011, p. 411.

[31] It is estimated that 1,300 people died and tens of thousands were forcibly displaced.

[32] This architecture entails the Peacebuilding Commission (PBC), the Peacebuilding Fund (PBF) and the Peacebuilding Support Office (PBSO).

The first unique characteristic of the MSU is its openness and relatedness to what researchers and practitioners frequently call the 'Third UN', i.e. those non-governmental and regional organisations which work on UN affairs. The MSU not only provides mediation support to official UN organs and reacts upon the request of regional divisions of the Department of Political Affairs of the UN Secretariat, but also cooperates with a variety of non-governmental and regional organisations, for example the Carter Center and the Folke Bernadotte Academy. The MSU has engaged in building the capacities of local mediators, for example in Liberia. Moreover, the selection of cases which the MSU decides to become involved in takes place in accordance with requests from the regional divisions of the UN, as in the case of Yemen in 2011, and direct requests from NGOs.

With the help of its close cooperation arrangements with other actors at multiple levels, the MSU is able to effectively utilise global mediation networks. It is also noteworthy that many regional organisations, including the EU and the OIC (the Organisation of Islamic Cooperation), are currently seeking advice and models from the MSU to develop their own mediation support units. For example, the OIC-UN Mediation Partnership programme, including a one-month staff deployment of the OIC to the MSU in autumn 2011, is aimed at creating a mediation support structure in the OIC. These are apposite examples of the way in which ideas, lessons learned, best practices and structural and operational models of mediation can transfer flexibly and rapidly between interacting units of global networks of mediation, in accordance with the model introduced in the first article of this report.

The second unique feature of the institutional 'habitus' of the MSU is its mobility, agility, and responsiveness to crises, or what MSU officials themselves tend to call 'nimbleness'. All of these new features reveal the dynamic side of the UN Organisation. The mobile arm of the MSU is its Standby Team of Mediation Experts made up of half a dozen experts ready to be deployed individually or as a group to assist mediators in the field within 72 hours. This structural mobility and pragmatic mode of operation has already allowed the MSU to engage in dozens of conflicts ranging from the post-referendum process in Southern Sudan to the post-conflict mediation in Georgia. However, compared with some other recently established institutions associated with the UN reform, such as

the peacebuilding architecture, the MSU lacks the major financial resources to conduct mediation-related functions beyond a narrow segment of practical tasks and field support. Members of staff of the MSU tend to emphasise that its role is to function as a 'service provider', which concretely means that the MSU does not (and cannot) function as a lead mediator nor issue directives to the whole UN system, but works on the basis of 'targeted guidance' from the field, reacting to case-specific requirements. The institutional habitus of the MSU as a small and nimble service-provider enables it to enter and leave any particular situation of peace mediation in a rapid and flexible manner.

Hence, unlike the UN peacebuilding architecture, the MSU could be described less as an institutional hub or a coordination mechanism of mediation but, rather, a support structure of already existing mediation processes and initiatives performed by the UN, for example those initiated by SRSGs. On the one hand, this appears logical from the viewpoint that mediation cannot and should not be restricted to any particular office. Instead, mediation should be a cross-cutting function that needs to be mainstreamed throughout the UN system in all of its departments and organs.

On the other hand, it is precisely this multi-contextual character of peace mediation as a method that would speak in favour of expanding the role of the MSU from its current field-support focus to functions related to policy, guidance and normative development of the concept of mediation, as well as training. Compared to another institution formed in the wake of the 2005 UN reform, namely the Rule of Law Unit, the MSU has thus far conducted less conceptual and policy consulting for other UN departments and other parts of the UN system in relation to its other tasks. One illustrative indication of this missing element is that the first-ever report by the UN Secretary-General to the Security Council on mediation in 2009 does not include any systematic definition of 'mediation',[33] a term which the MSU in cooperation with the Friends of Mediation group could and should devise for the whole UN system.

[33] *Report of the Secretary-General on Enhancing Mediation and Its Support Activities*. UN Doc. S/2009/189, 8 April 2009.

The conceptual framework: a missing piece in the UN mediation puzzle

In UN parlance, officials and diplomats tend to use the more general term 'mediation' in place of 'peace mediation'. However, neither of these terms is defined systematically in any major UN document. Ignorance of the conceptual work has probably been an intentional choice on the part of the Secretariat to allow the UN constituency, and particularly UN member states, to come up with the conceptual framework of peace mediation, which is gradually emerging in the wake of the first-ever resolution on mediation issued by the UN General Assembly on 28 July 2011.[34] However, such an approach premised on the 'spontaneous' rise of the peace mediation concept has its limits, particularly when it needs to be transformed into an operational doctrine. In this respect, the MSU should strengthen its role in the areas of mediation knowledge, policy and guidance, lessons learned, best practices and training. The MSU could clarify the remit and applicability of mediation in different phases of the conflict, its relationships to other forms of conflict management and the peace mediation concept.

A closer examination of the MSU's activities and documents, however, reveals that it has implicitly devised a conceptual framework of peace mediation, although that has not been systematically outlined in any document. The MSU has implicitly advocated a comprehensive interpretation of mediation in two ways, as evidenced in the aforementioned Secretary-General's report to the Security Council. Firstly, the report advocates a broad base of mediation actors and particularly the participation of women in mediation initiatives. Gender equality has also figured as a guiding principle in the MSU's work, although some inadequacies persist. For example, the MSU Standby Team currently includes only one woman (another is in the process of being recruited)[35], and MSU officials have admitted that it has not yet successfully performed one of its key objectives, namely the mapping of relevant women groups in conflict zones that could be empowered and integrated into peace processes.

[34] A/RES/65/283 (2011), 28 July 2011.

[35] It should, however, be noted that approximately half of all the MSU staff (20–30 persons in total) are currently women.

Secondly, the Secretary-General's report to the Security Council, as well as the MSU's functioning at large, reflects a comprehensive understanding of peace mediation in operational terms. It views mediation as a viable and necessary tool in all phases of conflict management, including the prevention of conflicts, reaction to conflicts and post-conflict reconstruction and stabilisation. The report indirectly criticises the 'ripeness theory' according to which conflicts are considered 'ripe for resolution' only when parties have reached a 'mutually-hurting stalemate': 'Regrettably, this led some to conclude that the international community should wait for a "hurting stalemate" to develop before offering mediation…'[36] This statement is obviously not intended as an indirect jab at the advocates of the 'ripeness theory' of mediation[37], but it is an attempt to demonstrate the applicability of mediation throughout the conflict cycle, including conflict prevention and the post-conflict phase.

In future, the role of the MSU in developing the conceptual, normative and operational framework of mediation is likely to be accentuated, since the first-ever General Assembly resolution on mediation assigns the Secretary-General to conduct major reforms of UN peace mediation. The resolution outlines three important concrete tasks for the MSU and the UN Secretariat as a whole. Firstly, and most crucially, the resolution states that the Secretary-General should appoint women as chief or lead mediators in UN-sponsored peace processes.[38] The coming years will show how the Secretary-General's executive office, the Department of Political Affairs and the MSU will succeed in implementing this task.

Secondly, the resolution requests the Secretary-General to develop guidance for more effective peace mediation, drawing on the lessons of past and ongoing mediation processes. This recommendation is important, for it has the potential to solve the current conceptual confusion over peace mediation in the UN context, as described above. The UN and the MSU in particular should come up with a definition of mediation and encapsulate it in a single and clearly formulated sentence to be incorporated in the guidelines for UN

[36] UN Doc. S/2009/189, 8 April 2009, p. 5.

[37] See for example W Zartman, *Negotiation and Conflict Management: Essays on Theory and Practice*, Routledge, New York, 2008, pp. 232–233.

[38] UN Doc. A/RES/65/283 (2011), 28 July 2011, p. 4.

conflict management. Moreover, the relationship of mediation with other forms of conflict management should be mapped. Mediation does not constitute a standalone concept, simply because it is typically used in conjunction with other means of conflict management, including coercive measures and use of force. Mapping these relationships should constitute one priority area for the future research and analysis of peace mediation. More attention should be paid, for example, to the question of how mediation could be utilised effectively under the framework of Responsibility to Protect (RtoP).

The strengthening relationship between mediation and other forms of conflict management, including peace operations, is reflected in the upward trend of UN peacekeeping operations to rely on mediation and the increase in the number of Special Political Missions. In the UN system there has recently been a growing interest in the latter, non-military political missions, for example the UN Assistance Mission in Iraq, which utilise mediation as their primary method of conflict management and as a flexible alternative to peacekeeping. Unlike peacekeeping operations managed by the DPKO (Department for Peacekeeping Operations), Special Political Missions are managed by the DPA (Department of Political Affairs). Richard Gowan notes that mediation is increasingly applied also in peacekeeping operations: 'Even where large peace operations are deployed, as in Sudan, there has been a greater emphasis on mediation and preventive diplomacy instead of military means.'[39] Gowan identifies a tendency of peacekeeping operations to undertake mediation tasks also in the African Union, as evidenced by the cases of Libya and Côte d'Ivoire, as well as the NATO-led operation (ISAF) in Afghanistan. These cases illustrate a need for the careful analysis of the consequences of combining mediation with military crisis management.

Thirdly, the General Assembly resolution on mediation emphasises the importance of the UN's partnerships and cooperation with international and regional organisations and civil society.[40] This network logic is already reflected in the present functions conducted by the MSU, and they could be expanded and deepened further. The

[39] R Gowan, *Five Paradoxes of Peace Operations*, Center for International Peace Operations, September 2011, p. 3. Available at: http://www.zif-berlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/Policy_Briefing_Richard_Gowan_Sep_2011_ENG.pdf.

[40] UN Doc. A/RES/65/283 (2011), 28 July 2011, p. 4.

network logic is reflected by the efforts of the MSU to strengthen the mediation capacities of regional and sub-regional organisations, as evidenced by its recently launched cooperation with the African Union, ECOWAS (Economic Community of West African States), Southern African Development Community, as well as various non-governmental organisations.

The application of mediation in the whole conflict spectrum

The term 'mediation' has often been adopted as synonymous with or as part of peacemaking. This, however, is also problematic for several reasons. Firstly, peacemaking usually denotes *diplomatic* efforts to manage or resolve conflicts through peaceful means. Mediation can be more than peace-making in the sense that it encompasses not only diplomatic measures and diplomatic actors, but also more unofficial or semi-official measures conducted by non-governmental organisations and civic society actors.

Secondly, peacemaking itself is conceptually and operationally ambiguous. It is significant, for example, that in *An Agenda for Peace* (1992) drafted by the then UN Secretary-General Boutros Boutros-Ghali, which forms the conceptual bedrock of contemporary UN conflict management, the terms 'peace-enforcement' and even the 'use of military force' are located under the heading 'peace-making'[41], although the first preliminary drafts of the *Agenda* written at the expert level had separated peacemaking from coercive means like peace-enforcement. Therefore, this conceptual confusion appears to be a mistake, resulting from dozens of drafting rounds and political haggling, not a purposeful move by the UN to justify the use of peace-enforcement as a leverage of mediation processes.

The framework of UN peace mediation has been epitomised by confusion in another respect too, namely in terms of the applicability of mediation in different phases of a conflict cycle. Is peace mediation applicable in all phases of a conflict, including conflict prevention, resolution and peacebuilding? In *An Agenda for Peace*, peacemaking is

[41] UN Doc. A/47/277 – S/24111, 17 June 1992.

understood to refer to only one, and narrow, phase between preventive diplomacy and peacekeeping. This restrictive interpretation is also reflected in the UN Capstone Doctrine, in which peacemaking falls between conflict prevention and post-conflict peacebuilding.[42] According to the Capstone Doctrine, peacemaking is understood to include 'measures to address conflicts in progress and usually involves diplomatic action to bring hostile parties to a negotiated agreement'.[43] Mediation appears to be wider than peacemaking in two ways. Firstly, mediation can involve not only diplomatic means undertaken by official actors such as state representatives and good offices by the Secretary-General, but also measures undertaken by unofficial actors like non-governmental organisations, as already mentioned above. Secondly, mediation could be used as a method throughout a conflict cycle, while peacemaking usually refers to the intermediate phase between conflict prevention and peacekeeping or peacebuilding.

As noted in the previous section, the MSU has implicitly applied a comprehensive notion of mediation in its actual practices. The first systematic and explicit attempt to transform the conception of UN peace mediation to a holistic direction at the normative level was made through the joint Finnish and Turkish initiative. The first draft of a General Assembly resolution on mediation finalised at the beginning of 2011 incorporated a comprehensive conception of mediation and, in its operational paragraphs, invited member states to optimise the use of mediation *throughout the conflict cycle*. During the negotiations between the UN member states on the draft resolution, which took half a year to complete, the comprehensive conception of mediation was weakened to some degree.

Nevertheless, the final resolution passed by the General Assembly does reflect the comprehensive notion of mediation, albeit in an incoherent way. It recognises the role of mediation 'in the peaceful settlement of disputes, conflict prevention and resolution'[44] and, in a separate paragraph, stresses the 'importance of mediation activities in peacebuilding and recovery processes, in particular in preventing post-conflict countries from relapsing into conflict'.[45] Hence, the

[42] *United Nations Peacekeeping Operations: Principles and Guidelines*, p. 19.

[43] *United Nations Peacekeeping Operations: Principles and Guidelines*, p. 17.

[44] UN Doc. A/RES/65/283 (2011), 28 July 2011, p. 3.

[45] UN Doc. A/RES/65/283 (2011), 28 July 2011, p. 2.

resolution practically implicates that mediation constitutes a method that could and should be applied throughout the conflict cycle: not only in prevention and resolution, but also in peacebuilding.

One of the greatest conceptual and normative innovations of the General Assembly resolution is that it widens the concept of mediation from a narrow segment of peacemaking between prevention and peacekeeping – that is, the restrictive conception used in the previous UN documents such as *An Agenda for Peace* (1992) and the Capstone Doctrine (2008) – to encompass peacebuilding as well. In future, that holistic conception should be formulated in more explicit, systematic and simple terms and preferably in a single sentence, while in the General Assembly resolution it is bracketed in different paragraphs.

The comprehensive notion of mediation is not a trivial curiosity, but it constitutes the basis upon which the future of UN peace mediation will most probably be constructed. Thus far, peacebuilding has been largely an overlooked and missed aspect in the development and operations of mediation and vice versa, which is counter-intuitive from the functional viewpoint. According to empirical data, between one-quarter and one-third of all peace agreements ending civil wars fail within five years and lead to the relapse of conflict. Moreover, the humanitarian costs of the collapse of peace agreements and relapse of wars are stupendously high. For example, the downfall of only two peace agreements, namely the 1991 Bicesse Accords for Angola and the 1993 Arusha Accords for Rwanda, was followed by the killing of two million people, which amounts to approximately one-third of all civil war victims during the 1990s.[46] These empirical data point to three interrelated conclusions: First, the potential of the relapse of conflicts remains high even after the signing of peace agreements. Two, the relapse of conflicts typically implicates humanitarian emergency. And three, international society should apply all available means, including mediation, to prevent such relapses. Mediation is urgently needed even after the signing of peace agreements.

The application of mediation as part of peacebuilding undoubtedly constitutes a complex task, and one which is hard to justify to donor countries, because it usually takes place in the absence of an imminent, direct and visible threat of violence, although the

[46] C T Call, 'Ending Wars, Building States', in *Building States to Build Peace*, C T Call and V Wyeth (eds), Lynne Rienner, London, 2008, pp. 1–2.

numerical evidence points to the omnipresent danger of the relapse of conflict and the looming humanitarian emergency. The lack of this visible need for mediation complicates the fund-raising for post-conflict mediation, a problem which is aggravated by the fact that the MSU is already a resource-starved unit that can hardly cope with even acute and already actualised conflict situations, let alone potential ones. Therefore, post-conflict mediation should be adopted not only in the MSU but also in the UN peacebuilding architecture, including the PBC (Peacebuilding Commission), the PBF (Peacebuilding Fund) and the PBSO (Peacebuilding Support Office), which have better financial means than the MSU to conduct that task. This, in turn, requires that states convince the PBSO to take up mediation as one of its principal methods of peacebuilding. Individual countries like Finland could also allocate funding and second national experts such as JPOs (Junior Professional Officers) to the PBSO to deal with post-conflict mediation.

Strengthening European peace mediation capacities: A more proactive EU in the making?

Tanja Tamminen

The European Union is often characterized as a 'soft power' or 'normative power'. Its strength on the global foreign policy agenda is seen to reside in its capabilities to put forth norms and ideals through soft means such as economic assistance or conditionality policy. However, its influence depends to a large extent on its capability to coordinate the actions between its member states and institutions.

The European Security and Defence Policy (ESDP) was formed in the early post-Cold War era, and right after its establishment it faced the challenges posed by the wars in the Balkans. Being unable to act coherently, the European Union was then characterized as a political dwarf.

In 2004 Mary Kaldor, together with her team from the London School of Economics, published a proposal for a European definition of 'human security' to guide the EU's work in crisis management. Kaldor and her Study Group advocated a comprehensive understanding of security not only as the absence of physical threat but also as linked with human development and human rights.[47] According to Kaldor and her Study Group, threats to human security range from genocide and slavery to natural disasters such as hurricanes or floods and massive violations of the right to food, health and housing.[48] Kaldor argued that the adoption of a Human Security Doctrine by the EU would give new dynamism to the ESDP practices. According to her, 'human security [could] be seen as a proactive strategic narrative with the potential to further EU foreign policy integration.'[49]

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[47] S Korhonen in *Human Security – Perspectives and Practical Examples*, O Alm and T Juntunen (eds), KATU, Eura, 2011.

[48] Barcelona Report (2004): *A Human Security Doctrine for Europe*: The Barcelona Report of the Study Group on Europe's Security Capabilities presented to EU High Representative for Common Foreign and Security Policy Javier Solana in Barcelona on 15 September 2004, p. 9.

[49] M Kaldor, M Martin and S Selchow, 'Human Security: a New Strategic Narrative for Europe'. *International Affairs*, vol. 83(2), 2007, pp. 273–288.

Even though the human security debate surely contributed to the discursive changes in attitudes towards crisis management operations and shifted the focus from stabilisation of a conflict area to sustainable development, Kaldor's conceptualisations were never included as such in the dominant discourse of the European (later known as the Common) Security and Defence Policy (CSDP), despite the more or less outspoken support of certain member states such as Finland.[50]

Today, Finland is supporting a new concept on the EU agenda – peace mediation. It is by no means a new concept in the field of crisis management, peacebuilding or conflict resolution, but it has only recently been defined in the EU jargon. In the United Nations, Finland together with Turkey proposed a UN General Assembly resolution that aims to strengthen the mediation work of the UN. It was adopted in the summer 2011.[51]

This UN resolution puts emphasis on the role of regional organisations as mediators even though the resolution does not mention the EU explicitly. The resolution 'stresses the importance of partnerships and cooperation of international, regional and subregional organisations with the United Nations, with each other and with civil society' and calls for better coordination. The resolution also invites the regional actors such as the EU to 'develop mediation capacities and structures, as appropriate, as well as resource mobilisation, and encourages them to follow United Nations guidance for effective mediation'.[52] It remains to be seen how well the European Union is able to implement these UN proposals. It also remains to be seen whether the concept of 'peace mediation' will be fully accepted within the CSDP discourse.

Why does the soft power EU have difficulties accepting more proactive concepts like mediation when it comes to conflict prevention, resolution and management? Bearing in mind the difficulties that the concept of 'human security' entailed in the EU debates, which conceived it as too difficult to define clearly and thus to operationalise, I will argue that 'mediation' cannot be similarly

[50] In 2006 before the Finnish EU Presidency, the Policy Planning Unit of the Finnish Ministry for Foreign Affairs asked the Centre for the Study of Global Governance to reconvene Kaldor's Study Group to look at ways of advancing a Human Security agenda within the European Union.

[51] UN General Assembly Resolution, A/RES/65/283 (2011), 28 July 2011.

[52] Ibid.

regarded as too complex and complicated a notion to be included in the CSDP task lists and toolkit. Today, the latter feature concepts such as disarmament operations, military advice and assistance, peacekeeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation, as well as civilian crisis management activities ranging from monitoring, mentoring and advising to police missions using executive power.

Background: CSDP development in parallel with the human security debate

In the political field of the EU, the attempt by Kaldor's Study Group to lobby for a Human Security Doctrine was confronted with the argument: 'We are already doing this, we just don't call it Human Security'. Probably a 'doctrine' was perceived as something too binding for the EU to endorse. In a more subtle way, human security principles and objectives like 'freedom from fear' and 'freedom from want'[53] have, however, been included in the EU policy-making.

It is clear that military means are not sufficient to resolve conflicts – they can merely stop the violence, protect human lives and provide a more stable environment for the civilian actors to take up other responsibilities in the field of conflict management and peacebuilding. The CSDP field of activities is constantly developing. If in the aftermath of the Kosovo War the military side was the first to be emphasised by the EU member states in the European Council of December 1999 in Helsinki, the EU soon realized that it needed to coordinate and develop its non-military capabilities too. Since 1999, EU civilian crisis management has become one of the most useful tools in the field of the CSDP. Civilian crisis management aims at strengthening democratisation, respect for human rights and the rule of law, good governance and functioning civil society in post-conflict areas. The EU has launched operations in the Balkans, the Caucasus as well as in Africa, and the fields of activities are multiple, including

[53] Madrid Report (2007): *A European Way of Security:* The Madrid Report of the Human Security Study Group comprising a Proposal and Background Report by Human Security Study Group (LSE), launched in Madrid on 8 November 2007, p. 8.

police and justice sector reform, border management, monitoring peace agreements, training, and so on.

The EU's Security Strategy from December 2003 defined a certain set of EU global challenges which, in many cases, echoed the US security doctrine drafted in the aftermath of 9/11. To respond to some of these threats, EU crisis management capabilities were further developed. In December 2004, work to prepare the Civilian Headline Goal 2008 was launched. The goal was to create such civilian capabilities that the EU would be able to conduct multiple and diverse civilian operations at the same time.

This process developed scenarios of future civilian crisis management challenges and the requirements for civilian capabilities. As there are many actors involved in civilian crisis management, coordination between the EU institutions and different international organisations was strongly underlined. In addition, the Civilian Headline Goal led to the creation of the rapid reaction activities, the so-called Civilian Response Teams, which are ready to be deployed in 3 to 5 days and can work, for example, to make preliminary assessments in the conflict areas, provide support in establishing a new operation or bring in expertise in a crucial phase of a previously launched operation.

Ideas on how to strengthen the EU as a more effective actor in crisis management and consolidate new best practices are generated and debated at different levels, both in the field missions and in CIVCOM, PMG and PSC[54] meetings in Brussels. The Political and Security Committee (PSC) has political leadership over the CSDP operations. The decision to keep the operational decisions at this ambassadorial level instead of at the level of the Council of Ministers was to make the EU action more efficient. In the post-Lisbon era, the establishment of the European External Action Service has also given new structural strength to the EU's planning and conduct capabilities as regards the CSDP operations. The EU is expected to exert more coherent action in conflict zones from now on.

To strengthen coordination between human security-related policy fields, the EU Ministers of Defence and Development Aid held a meeting together for the first time in November 2007 to collectively discuss security and development issues and to agree on a common Council conclusion. In June 2011 the Foreign Affairs

[54] CIVCOM, *Committee for Civilian Aspects of Crisis Management*; PMG, *Politico-Military Working Group*; and PSC, *Political and Security Committee*.

Council conclusions noted that the Lisbon Treaty and the creation of the European External Action Service would provide opportunities for even more comprehensive approaches by the EU towards conflict zones and a renewed impetus for preventive action by the EU by 'better integrating conflict prevention and key cross-cutting issues, particularly human rights, gender, protection of civilians, children and armed conflicts and responsibility to protect, in all areas of short- and long-term external action.'[55]

Peace mediation – future perspectives

The EU Programme for the Prevention of Violent Conflicts – the 'Gothenburg Programme' – was adopted by the Council ten years ago. EU Special Representatives in many fragile areas have been in a key position to act constructively to prevent conflicts from escalating. Mediation is widely accepted as 'an effective and cost-efficient instrument for conflict prevention, transformation and resolution'.[56] Despite the multitude of crisis management tools such as the civilian and military CSDP operations and the Instrument for Stability, the EU still seems to lack an active strategy when it comes to preventing conflicts through mediation.

More often than not, it has been one or more EU member states or other European actors that have engaged themselves in mediation processes rather than the EU as a whole. Sweden has worked to raise awareness about mediation tools and how the EU could provide added value in this field. It was during the Swedish Presidency in 2009 that the EU endorsed a 'Concept on Strengthening EU Mediation and Dialogue Capacities'. This concept defines peace mediation as 'a way of assisting negotiations between conflict parties and transforming conflicts with the support of an acceptable third party'. The EU's added value in mediation is underlined with 'its political and financial weight and its comprehensive approach to conflict prevention and resolution, involving CFSP/ESDP and Community instruments'.[57]

[55] Council of the European Union, Council conclusions on conflict prevention, 3101st Foreign Affairs Council Meeting Luxemburg, 20 June 2011, pp. 26–27.

[56] Council of the European Union, 'Concept on Strengthening EU Mediation and Dialogue Capacities', Brussels, 10 November 2009.

[57] Ibid., pp. 3–4

The Concept underlines that the EU needs to develop arrangements which allow it to respond rapidly to conflict situations in which opportunities for mediation exist. The High Representative of the Union for Foreign Affairs and Security Policy, EU Special Representatives in the conflict areas, the CSDP missions and Commission Delegations as well as the Presidency and member states' diplomatic representations should facilitate EU mediation involvement.[58]

A number of actors – whether member states (such as Finland or Sweden) or non-state actors such as the Crisis Management Initiative (CMI) and other peace-building NGOs and think tanks – have encouraged the European Union to enhance its capacities in promoting diplomacy and mediation. For example the CMI notes that 'advancing the practice of mediation as an acceptable and workable conflict resolution tool for the European Union has been one of the CMI's core work areas in 2010'.[59] This work has been carried out through an EU-funded 'Initiative for Peacebuilding Project'[60], in which the CMI acts as the mediation cluster coordinator. A number of workshops have been organized to sharpen and fine-tune the EU concept on mediation.[61] The concept of peace mediation has, in fact, been welcomed in the political arena even though it may have quite differing operational definitions (just like human security).

Following the establishment of the European External Action Service (EEAS), structural decisions have also been made to strengthen the EU's capacities. Following the UN example, which established its Mediation Support Unit in 2008, the EEAS has recently established the Peacebuilding, Conflict Prevention and Mediation Unit (albeit very small in size compared to the one in the UN).

Important steps in the policy field have also been taken to consolidate mediation on the EU agenda. In June 2011, the EU Foreign Ministers agreed on the following in the Council conclusions on conflict prevention:

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[58] Ibid.

[59] CMI Annual Report 2010/2011, Helsinki: Yliopistopaino, 2011, p. 26

[60] The Initiative for Peacebuilding is a consortium led by International Alert and funded by the European Commission.

[61] CMI Annual Report 2010/2011, p. 26.

> The aim of preserving peace, preventing conflicts from erupting into violence and strengthening international security is an important element of the external action of the European Union as laid down in the Lisbon Treaty ... Preventing conflicts and relapses into conflict, in accordance with international law, is therefore a primary objective of the EU's external action, in which it could take a leading role acting in conjunction with its global, regional, national and local partners.[62]

Moreover, the proactive nature of mediation is noted as the ministers conclude that even though the EU already has a number of conflict prevention tools at its disposal, there is scope for reinvigoration of EU efforts to prevent violent conflicts and their recurrence and that enhancing early warning will enable the EU to work more effectively with partners regarding responsibility to protect and the protection of human rights. Ministers stressed that mediation is one form of early action and engaged themselves to build on the 'Concept on Strengthening EU Mediation and Dialogue Capacities' of 2009 and to strengthen the EU's mediation capacities by 'providing support and training to mediators and their staff and increase their readiness.'[63] The EU ministers also pledge their support to other mediation actors such as local and regional partners as well as relevant non-governmental organisations.

Until now, the EU has not been very active in mediation work. Work is carried out on an *ad hoc* basis. In the Kosovo case, for example, a German diplomat, Ambassador Wolfgang Ischinger, represented the EU in the 'troika' which, over the course of a few months, tried to find a negotiated solution to the Kosovo status in 2007. Today a high-level EU civil servant, Robert Cooper, is facilitating talks between Pristina and Belgrade to find mutually acceptable solutions to overcome practical problems that arise from the fact that Serbia does not recognize Kosovo's independence. No training exists to give the EU mediators the necessary conceptual tools or a framework in which they could proceed.

The fact that it is not easy for the EU to act in a unified manner in the foreign policy field makes the work of a mediator even harder if s/

[62] Council of the European Union, Conclusions, 2011.

[63] Ibid.

he cannot rely on a strong political back-up from the EU. The Kosovo case is a prime example of a situation in which the EU member states differ in their attitudes towards the independence of Kosovo. Maybe therein lies the answer to the question posed at the beginning of this paper. Are 'human security' and 'mediation' too soft concepts for the EU? I dare to argue that it is not a question of softness as both concepts are closely linked with the crisis management operations. However, they are terms that require clear political will from all the member states. The CFSP works in a very reactive mode, attempting to put out forest fires, rather than trying to predict where another one might start next. It is hard, if not nigh on impossible, to get the 27 member states to agree on the necessity to use drastic measures such as a third-party intervention (even if it were only through a mediator) to prevent a conflict from escalating somewhere, where it is not yet fully ablaze and on the evening news. Proactive measures require political will to get the Union engaged as a whole, but that is what often seems to be lacking in the field of the Common Security and Defence Policy.

Recommendations

As the European Union needs to update its Security Strategy (the last one was prepared in the aftermath of 9/11), it needs to take into account the changing nature of the future conflicts and prepare for more effective conflict prevention mechanisms. The EU actors involved in mediation should be trained for the job, as without real understanding of the peace processes that they are engaging in they might, in fact, do more harm than good. In strengthening the EU's capabilities in the field of mediation, the member states should remember that the mediation tool can be used at different stages of a conflict cycle from conflict prevention to peace negotiations and implementation of peace agreements, as well as peace-building. Thus, developing the mediation skills of the actual mediators as well as the EU's mediation support structures would not only strengthen the EU's ability to act more proactively in conflict prevention, but also strengthen its ability to react more promptly and efficiently to suddenly erupting crisis situations.

Mediation and regional organisations: The African Union, ECOWAS and the OSCE

Suvi Tuominen and Roxana Cristescu

Regional organisations and mediation: Added value and challenges

In addition to the contribution of traditional states and non-state actors, the field of mediation also benefits from the activities engaged in by different regional and sub-regional organisations. The important role they play in conflict resolution is also recognized in the United Nations Charter.[64] This chapter elaborates on the role of such organisations by focusing on both their added value and the challenges that these organisations bring to peace mediation. To this end, the chapter takes a closer look at the mediation efforts of three different organisations: The African Union, ECOWAS (Economic Community of Western African States) and the OSCE (the Organization for Security and Cooperation in Europe).

Regional organisations refer to organisations, often characterized by some level of interdependence, which bring together member state countries in their geographical region for a specific purpose. That purpose could be economic or political. Sub-regional organisations, as their name already indicates, refer to organisations that operate within the different sub-regions of one region.[65] In this chapter these organisations are presented under one heading, regional organisations, as their role in mediation does not differ significantly.

Whilst the depth of integration between the different regional organisations, such as the African Union, ECOWAS, ASEAN (Association of Southeast Asian Nations), the EU, the OSCE or OAS (Organization for American States) varies, many of them were originally created to foster economic cooperation. However, as these

[64] UN Charter, chapter VIII, article 52.

[65] If the African Union can be labelled as a regional organization, ECOWAS can be referred to as a sub-regional organization as it is operating in one of Africa's sub-regions, Western Africa.

organisations have realized that economic development can only be pursued in a peaceful environment, today the main emphasis of their work has increasingly evolved to embrace issues of peace and security. As a result, mediation has now emerged as one of the main focal areas in the wider field of peace and security. Compared to peacekeeping and other means of active conflict mitigation interventions, mediation is the preferred cost-efficient way to both prevent and resolve conflicts in their region.

While being active in the field of peace mediation, the concrete efforts of regional organisations such as the African Union can be characterized as *ad hoc* to some extent, and the practice of mediation as not yet being fully professionalized. Thus it is seen as a very positive step forward that these organisations have recognized this shortcoming and have started developing their capacities in peace mediation further. It must also be highlighted that the regional organisations are by no means late in developing their mediation capacities compared to international organisations. The United Nations, for example, did not establish its first Mediation Support Unit until 2008 and the European Union is only now constructing a mediation cell within the structures of its External Action Service. Generally speaking, in various regional organisations mediation forms a cross-cutting theme where responsibilities are shared among various organisational bodies and special envoys, without a specific mediation unit.

What then is the added value that regional organisations can bring to peace mediation and why should their engagement be encouraged? First of all, they possess knowledge about the context of the conflicts that international organisations may lack – regional organisations are experts on their own backyard. They have the 'insider knowledge' that is needed to carry out constructive mediation in unique conflict situations. This is especially the case when conflict involves many countries in the region. The destabilizing effect of regional conflicts brings with it a great incentive for these organisations to intervene quickly via mediation. Oftentimes, regional organisations also enjoy greater legitimacy compared to outside actors, and their interference is thus more easily accepted by the countries concerned. In some cases the relevant regional organisation is viewed as the preferred mediator, as in this way the conflict as well as its solution remain local issues, not international ones.

Despite the positive qualities mentioned above and the added value that these organisations can bring to mediation, the biggest challenge remains the gap that exists between their mandate and their capacity. While they might be accepted as a mediator more easily than outside actors, unfortunately regional organisations might lack the capacity to mediate. They may also suffer from conflicts and diverging interests between their member states. Sometimes individual member states might take different positions from the general stance of the organisations, as illustrated by the experiences of both the AU and ECOWAS, as will be described in more detail in this chapter. Moreover, in some cases the regional organisations may even be seen as partial, if the influence of one member state is much stronger compared to other member states. However, while acknowledging these challenges, in the grand scheme of things many of the regional conflicts would not have been resolved at all without the consistent engagement of the regional organisations. This speaks for the very important role these organisations play in resolving the conflicts in their region.

To better illustrate the mandate and practical efforts of regional organisations, as well as their challenges and successes, three different organisations will be briefly presented in the following sections.

The African Union

The African Union (AU) has undertaken mediation interventions since the time of its predecessor, the Organisation of African Unity (OAU). More importantly, however, it was the transformation of the OAU to the AU in 2002 which marked a new era in terms of conflict resolution and mediation in Africa. This organisational transformation has brought more resources to the organisation and helped mediation efforts gain more attention. With the transformation, the mandate for mediation was also radically changed in keeping with the general paradigm shift. While the member states of the OAU strongly promoted the principle of non-intervention and held territorial sovereignty in high esteem, the right to intervene became a new principle for the new organisation. This allowed the Union to engage

in matters of peace and security more proactively as well as to take an active stance towards conflict resolution on the continent.

The creation of the African Union also engendered the creation of the Peace and Security Council in 2004, comprising 15 AU member states assigned to promote peace and security in Africa. The official mandate for mediation is illustrated by the establishment protocol of the Council.[66] The African Union has created a unique mediation architecture that uses several different institutions in addition to the Peace and Security Council. Mediation efforts are realized, for example, through the Chairperson of the Commission who also deploys his Special Envoys to mediate in different conflict zones. The AU Panel of the Wise, comprising five eminent African personalities, also has a mandate to mediate conflicts. In addition to mere AU organs, the newly created African Peace and Security Architecture promotes very close cooperation between the AU and RECs (Regional Economic Communities[67]) in mediation according to the principle of subsidiarity.

At present, the environment in which the African Union operates is extremely challenging. Between 1990 and 2005, Africa accounted for half of the world's battle- related deaths.[68] Even though the number of conflicts has decreased, still today we see people's lives being drastically affected in places such as Somalia or Darfur due to heavy fighting. This serves to underline the desperate need for peaceful settlements of conflicts through mediation.

As an evolving practice, the experience of the AU in peace mediation is a mixture of both success and failure. The Burundi peace process can be cited as a good example of the potential of AU-led mediation, as it contributed to the signing of the Arusha peace

[66] Protocol Relating to the Establishment of the Peace and Security Council of the African Union, 2002.

[67] Africa has six different Regional Economic Communities: IGAD (Inter-Governmental Authority on Development), ECOWAS (Economic Community of Western African States), SADC (Southern Africa Development Community), ECCAS (Economic Community of Central African States), COMESA (Common African Marker for Eastern and Southern Africa) and AMU (Arab-Magreb Union).

[68] African Development Bank (2008), African Development Report 2008–2009: *Conflict Resolution, peace and reconstruction in Africa.*

agreement in 2000.[69] On the other hand, without going into detail over mediation chronology, a good example of the challenges that the AU faces in the field of peace mediation can be found by looking at the recent case of Côte d'Ivoire and the post-election conflict that had the country teetering on the brink of civil war.

In Côte d'Ivoire, the 2010 election results were disputed when former President Laurent Gbabgo refused to leave office after the opposition leader, Alassane Ouattara, won the contest. In response to this development, the African Union took an active stance in mediating the crisis by sending one mediation mission after another, a Special Envoy and High-Level Panel as well as its Chairperson to the country.[70] Even though both organisations, the AU and ECOWAS, agreed on supporting Ouattara, there was also clearly a lack of coordination and trust between the two actors. This lack of trust was, for example, related to the role of Kenya's Prime Minister Raila Odinga as Special Envoy representing the AU in Côte d'Ivoire and South Africa's role as part of the AU High-Level Panel. Both of these acts were seen as compromising the AU impartiality. While Odinga was seen to support a possible power-sharing deal between the two opponents in Côte d'Ivoire, South Africa took a strong position during the crisis, showing favour towards Laurent Gbagbo.[71] These positions varied from the official stance of the AU in supporting the winner, Alassane Outtara, without any compromises.

These two challenges confronting the AU in mediating the crisis in Côte d'Ivoire aptly illustrate the common challenges that regional organisations may face during practical mediation. Sometimes the impartiality of the regional organisation may be questioned and sometimes there might be conflicts of interest within the organisation, where some member states take a radically different stance from that of the organisation of which they are founding members. In this particular case, thankfully, the conflict de-escalated with Gbagbo finally giving in to the concerted pressure exerted by the AU, ECOWAS, as well as the wider international community. These

[69] The African Centre for the Constructive Resolution of Disputes (ACCORD): Mediating Peace in Africa (2009), 30.

[70] UN Security Council Côte d'Ivoire Historical Chronology. Available at: http://www.securitycouncilreport.org/site/pp.aspx?c=glKWLeMTIsG&b=2876173&printmode=1

[71] International Crisis Group, Africa Report, no. 171, 2011.

consistent joint efforts also brought about the necessary action to resolve the conflict and to save human lives.

ECOWAS

The Economic Community of Western African States (ECOWAS), founded in 1975, brings together 15 member states from West Africa. Originally created to foster economic integration, today the organisation plays an important role in the prevention of conflicts in its region. To ensure that it is well placed to handle such matters, ECOWAS underwent major institutional changes. In addition to having a much more advanced capacity to manage conflicts in its region, ECOWAS also has a very active role in peace mediation compared with other regional organisations in Africa.

In ECOWAS, mediation is part of a larger framework prioritizing early warning and conflict prevention.[72] One of the most relevant frameworks is the ECOWAS Conflict Prevention Framework.[73] In addition to mainstreaming conflict prevention to ECOWAS policies as an operational mechanism, this framework also pays particular attention to the inclusion of civil society in peace mediation. The mediation apparatus of ECOWAS consists of three different structures. Special Envoys and Special Representatives are appointed by the President of ECOWAS together with the Mediation and Security Council and are called upon to mediate when necessary. In addition to Special Envoys and Special Representatives, there is also the ECOWAS Council of the Wise, a similar structure to the AU Panel of the Wise with eminent West African personalities.[74] This organ can be called upon to mediate conflicts at the request of the President of the Mediation and Peace Council.[75]

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[72] ECOWAS Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, 1999.

[73] More information on the ECOWAS Conflict Prevention Framework is available at: http://www.ecowas.int/publications/en/framework/ECPF_final.pdf

[74] Goreen Institute, *One Who Kills an Ant Carefully May Discover its Intestines: Documenting the Experience of West African Mediators*, 2011, p.16.

[75] B T Afolabi, *Peacemaking in the Ecowas Region; Challenges and Prospects*, 2010, pp. 26–27.

It was not until the early 1990s that ECOWAS became actively involved in the regional security affairs. The civil wars in Liberia and Sierra Leone that broke out in 1989 and 1991 destabilized the whole region and thus provided a strong motivation for ECOWAS to intervene. Since then, ECOWAS has continued to develop its capacities in conflict management, prevention and resolution. The mediation efforts of ECOWAS towards these two countries clearly illustrate both the added value and the challenges that regional organisations might face while mediating conflicts.

ECOWAS missions to both of these countries can be seen to have contributed to the signing of the peace agreement, at least to some extent. The UN also provided support in both cases but mainly through ECOWAS. It has also been argued that without the ECOWAS involvement, the intervention by the international community might not have taken place at all. It was clear that in this case ECOWAS had the legitimacy to intervene as well as a stronger incentive and political will compared with many international organisations that were willing to issue statements, but go no further. Through its member states, ECOWAS had a functioning communication network with all of the conflicting parties and was able to receive reliable information from the field.[76] Its knowledge of the context, the individuals and the conflict made the mediation process easier for ECOWAS compared, for example, to international organisations. All of these issues can be seen as the added value of ECOWAS in mediating conflicts in Sierra Leone and Liberia. Despite this added value, ECOWAS also faced significant challenges in mediating these conflicts. In addition to facing serious challenges with regard to resources and capacities at various levels, at times ECOWAS also suffered from a lack of unity and individual ECOWAS member states looking for individual gains.

The ECOWAS knowledge of the context in Sierra Leone and Liberia and good networks on the ground, coupled with the legitimacy to intervene, yet again aptly illustrate the positive qualities that regional organisations may have in mediating conflicts compared with other actors. As in the case of the African Union and Côte d'Ivoire, this involvement may also come at a price with member states trying to push for their own agendas ahead of that of the regional organisation.

[76] O Egeström, J Bercovitch, C Skau, *Regional Organizations and International Mediation: The Effectiveness of Insider Mediators*, 2003.

The OSCE

The Organization for Security and Co-operation in Europe (OSCE) has been engaging in mediation activities since its creation in the early 1990s. Despite its rather rigid and conventional organisational structure (the OSCE has 56 participating states from Europe, Central Asia and North America), the regional body has sought to improve its institutional and operational capacities in response to demands to become more effective in bringing about peace, particularly with regard to the protracted conflicts that have resulted from the collapse of the Soviet Union: Nagorno-Karabakh, Moldova/Transdniestria and the Georgian conflicts.

Although the necessity to bolster the OSCE's efforts and capacities throughout the conflict cycle was clearly recognized only in 2009 after the discussion generated by the Corfu process under the aegis of the Greek chairmanship[77], the OSCE participating states have on several occasions expressed their commitment to resolve conflicts by peaceful means[78], and since 1992 have developed provisions on early warning, conflict prevention, crisis management and conflict resolution. In fact, the first institutional response to the increasingly unstable situation resulted from the post-Cold War territorial rearrangement, the establishment of the Conflict Prevention Centre (CPC) and the autonomous High Commissioner on National Minorities (HCNM).

The CPC is a 'mediation support' type of structure located in the OSCE secretariat. It represents a unique model of interaction between thematic and geographical units and was set in place to support the Chairman-in-Office and other OSCE bodies in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation. In order to respond to one of the most acute limitations of the organisation (the inertia generated by the recurrent lack of significant political will by the member states to intervene in a given conflict), the HCNM was created with the mandate to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating states. In fact, the High Commissioner has the possibility to react preventively

[77] Ministerial declaration on the OSCE Corfu process: Reconfirm-Review-Reinvigorate Security and Co-operation from Vancouver to Vladivostok. Available at: http://www.osce.org/cio/40689.

[78] Helsinki Final Act. Available at: http://www.osce.org/mc/39501.

without a political consensus for his intervention or an invitation from a host country. Unfortunately, even this quiet mediation solution was found wanting when challenged by inter-state affairs and other modern conflict dynamics and systems.

Regardless of the mediation roles covered by the above-mentioned institutions, the primary mediation assignments in the OSCE are undertaken by the Chairman-in-Office through appointed Personal or Special Representatives and Envoys. Secondary mediation responsibilities lie with the Secretary-General, the Director of the CPC as well as OSCE field missions. The efficiency of this system has often been criticized due to the annual rotation of Special Representatives and the consecutive change of staff that is considered to hinder the continuity and retention of institutional memory in processes related to dialogue facilitation and/or mediation. Considering the fact that the OSCE does not have enough financial resources to outsource mediation services (as in the case of the EU), the organisation is bound to rely almost exclusively on internal resources. Moreover, without a proper mediation support mechanism in place, every Chairmanship depends heavily on its national resources that are called upon to act on an ad-hoc and short-term basis. In conducting concrete mediation in complex peace processes, all of these factors translate into a deficiency in operability and coherent engagement of the OSCE, which fails to fulfil its full potential. Consequently, its functions are being undertaken by other regional organisations such as the EU or the Council of Europe.[79]

During the recent analysis of the OSCE mediation capacities, it has been noted that 'after decades of uninterrupted engagement in mediating between conflicting parties in the Western Balkans, the South Caucasus and Moldova, current OSCE mediation services remind one more of an old-fashioned, though well-equipped and eye-catching, steam locomotive that is pulling behind it coaches of enormous experience and political weight. However, the prospects of ever reaching its destinations have become, in the meantime, ambiguous, as the cargo to be delivered has aged and can no longer meet the needs of the end-users.'[80]

[79] Interview with OSCE officer, Chisinau, September 2011.

[80] Expert Meeting within the Framework of the Conflict Cycle – V to V Dialogue "Strengthening the Mediation – Support capacity within the OSCE" Vienna, 12 July 2011, Presentation by Alexandros Katsanis, Counsellor Expert / Senior Advisor Permanent Mission of Greece to the OSCE "Enhancing OSCE Mediation Services".

Conclusions

Regional organisations have played an increasingly important role in mediating conflicts in their respective regions. Despite the fact that many of the organisations have only recently started to develop their capacities in mediation and that many of these organisations, such as the AU and ECOWAS, operate in extremely challenging and conflict-prone environments, their track record in supporting the resolution of the conflicts in their regions is impressive. If these organisations had not existed and been consistently engaged, many of the conflicts would not have been resolved at all. In addition to the states and non-state actors, the regional organisations provide a prominent building block of the new peace and security architecture in solving today's multidimensional and regional conflicts. If well-equipped, the regional organisations have the potential to address complex conflict dynamics and can start focusing not only on a reactive response, but also on designing proactive strategies that would tackle all the conflict cycle phases.

Part III

States as peace mediators – some examples and comparisons

The value added of smaller states in peace mediation: Smart Peace

Peter T. Coleman

In this article, I will argue that peace mediation is one of the last roles that smaller states should attempt to play in international affairs today. Given the prevalence of violent ethnopolitical conflicts across the globe,[81] the vast and increasing number of international, governmental and NGOs[82] involved in peace work today and the fragile state of the worldwide economy,[83] I am advocating an approach for smaller states such as Finland that I call Smart Peace.

First, I will outline a few facts, starting with the good news. The international community has recently experienced a dramatic increase in the number of wars ending through negotiation rather than through unilateral military victory. In fact, these numbers have flipped since the end of the Cold War, with twice as many wars ending today through negotiation versus military victory.[84] Incredibly, from 1988 to 2003, more wars ended through negotiation than in the previous two centuries.[85] After peaking in 1991, the number of civil wars had dropped by roughly 40 per cent by 2003.[86] This indicates that local, regional and international peacemakers have an increasingly positive impact on mediation.

However, there is also bad news. Today over 25 per cent of the wars ended through negotiations relapse into violence within five

[81] The International Crisis Group is today monitoring 70 conflicts with high potential to escalate and devolve into violence.

[82] The UN estimates over 40,000.

[83] With Finland ranked 56th in GDP.

[84] D T Mason, M Crenshaw, C McClintock and B Walter, *How Political Violence Ends: Paths to Conflict De-escalation and Termination*, APSA Task Force on Political Violence and Terrorism, Group 3. Presented at the annual meeting of the American Political Science Association, 2007. Available at: http://www.apsanet.org/imgtest/PVTFHowPoliticalViolenceEnds.pdf.

[85] UN High-Level Panel, *A more secure world: Our shared responsibility: Report of the Secretary-General's High-Level Panel on Threats, Challenges and Change*, United Nations Department of Public Information, 2004.

[86] UN High-Level Panel, *A more secure world.*

years.[87] In some cases, such as in Rwanda and Angola, more people were harmed and died after peace agreements were ratified by the parties and then failed.[88] And these failed-peace states seem to begin a new downward spiral. States with civil wars in their history are far more likely to experience renewed violence.[89] And the longer such conflicts last, the greater the chances of recurrence of war.[90]

The five percent

Today, of the seventy conflicts the International Crisis Group is monitoring, fifteen have lasted between one and ten years, twelve have persisted between eleven and twenty years, and forty-three have dragged on for more than twenty years.[91] This last category of long-enduring conflicts is what I refer to as the five percent.[92]

In a series of studies analyzing the Correlates of War database, a source of information on all interstate interactions around the world from 1816 to 2001, Paul Diehl and Gary Goertz (2000, 2006) have been exploring the dynamics of what they term international rivalries. These are ongoing competitive relationships between states that employ either the threat or the use of military force. Of the 875 rivalries they have identified over the time span of the database, they approximate that between five and eight percent become enduring. These are those rivalries that persist for more than twenty-five years, with an average duration of thirty-seven years. From 1816 to 2001, approximately one hundred and fifteen enduring rivalries inflicted havoc in the geopolitical sphere. Although the percentage of enduring rivalries in terms of all rivalries is small (5 per cent), these

[87] A Suhrke and I Samset, 'What's in a Figure? Estimating Recurrence of Civil War'. *International Peacekeeping*, vol. 14(2), 2007, pp. 195–203.

[88] S J Stedman, D Rothchild, E M Cousens, *Ending civil wars*, Boulder, CO: Lynne Rienner Publishers, 2002.

[89] Mason, Crenshaw, McClintock and Walter, *How political violence ends*.

[90] P Collier, *Economic Causes of Civil Conflict and their Implications for Policy*, World Bank, Washington, D.C., 2000.

[91] See http://www.crisisgroup.org/.

[92] P T Coleman, *The Five Percent: Finding Solutions to (seemingly) Impossible Conflicts*, Public Affairs, Perseus Books, New York, 2011.

ongoing disputes are disproportionately harmful, destructive and expensive. Together, they have accounted for forty-nine percent of all international wars since 1816, including World Wars I and II. In addition, they have been associated with 76 per cent of all civil wars waged from 1946 to 2004.[93] These protracted conflicts include the present conflicts in Israel–Palestine, Kashmir, the Democratic Republic of Congo, Colombia, and Northern Ireland. They cause extraordinary levels of misery, destabilize countries and entire regions, inflict terrible human suffering, and deplete the international community of critical resources such as humanitarian aid and disaster funding.

What is particularly daunting about this five percent of protracted conflicts is their substantial resistance to good faith attempts to solve them. In these settings, the traditional methods of diplomacy, negotiation and mediation – and even military victory – seem to have little impact on the persistence of the conflict. In fact, there is some evidence that these strategies may make matters worse.[94]

The five percent conflicts seem to operate differently than most other conflicts, according to their own set of rules. Think of epidemics, which do not spread like other outbreaks of illness that grow incrementally. Epidemics grow slowly at first until they hit a certain threshold, after which they grow catastrophically and spread exponentially. This is called non-linear change. The five percent of enduring conflicts operate in a similar manner. In these settings, many inter-related problems begin to collapse together and feed each other through reinforcing feedback loops, which eventually become self-organizing (self-perpetuating) and therefore unresponsive to outside intervention. In the language of applied mathematics, these conflict systems become attractors: strong, coherent patterns that draw people in and resist change. This, we believe, is the essence of these five percent of intractable conflicts.

For example, the persistence of the Republican and Democratic polarisation and enmity in the US is an attractor that, despite changes in circumstances, leaders, and policy priorities, has remained

[93] K R DeRouen and J Bercovitch, Enduring internal rivalries: A new framework for the study of civil war, 2008.

[94] P F Diehl and G Goertz, *War and peace in international rivalry,* Ann Arbor, University of Michigan Press, 2000.

relatively constant for well over a decade. This is an attractor pattern that draws people (voters) in to behave in the same way election after election, even when their own priorities and circumstances change radically. The drive to repeat the pattern feels larger than any individual, but the behavior of these individuals simply contributes to the ongoing stability of the attractor.

This is the type of dynamic pattern that intractable conflicts evidence. These patterns display odd intervention time scales, so that major shocks to these systems and significant attempts at intervention often show little impact for years. However, the destabilizing effects of a shock or intervention may result in a dramatic change in the patterns of the conflict years later. This was a central finding of the research by Goertz & Diehl (2000). They found that 95 per cent of enduring rivalries began – and 75 per cent of them ended – within 10 years of a major political shock – a rupture to the conflict system – that destabilized the pattern. However, these changes often did not manifest in explicit political change for a decade or more.

Given the powerfully destructive nature of these conflicts, and of their imperviousness to diplomacy and mediation, I recommend that smaller states in the international community seek to focus their energy and resources on addressing these conflicts, however not through mediation or diplomacy, but rather by seeking to affect the probabilities of Smart Peace.

The approach of Smart Peace

The Smart Peace approach seeks to address the accumulation of intergroup negativity and dissipation of positivity with our most difficult and consequential conflicts in a manner that steers clear of any peace discourse, but that takes advantage of any destabilizing shocks that may have occurred in the recent history of the system. This approach has a few components.

First, it is important to ascertain when deciding to engage with a conflict that one is not simply dealing with a difficult conflict, but in fact with the complex system of a five percent conflict. This can usually be assessed by becoming familiar with the history of the conflict – its duration and history of peace-making attempts – as well

as through interviews or discussions with key stakeholders who attest to the hopelessness, fatigue, and perceived simplicity of the conflict. If facing a difficult conflict, then traditional methods of peacemaking should suffice, and perhaps be left to those states who have developed advanced capacities to provide such assistance. However, if facing an intractable conflict, then an alternative approach to Smart Peace is recommended.

Next, it is critical to come to terms with the hard fact that when working with these tightly-coupled problem sets (complex systems), one cannot directly make peace. These systems are too complicated and unpredictable, and direct attempts at peacemaking often do nothing more than inspire spoilers – individuals or groups who become mobilized by the peace process and focused on bringing about its demise. However, this does not mean that interveners cannot affect constructive change. It is a matter of probabilities. The international community can 1) work to reduce the violence and destruction of the current situation, 2) work carefully to decrease the probabilities of destructive conflicts escalating in the future, and 3) work carefully to increase the probabilities of constructive intergroup interactions happening in the future. Again, most times, it is best to conduct this work – particularly 1 & 2 – in a manner disconnected from any explicit "peace process" in order to avoid falling prey to the standard polarized and politicized traps of war and peace.

A few other guidelines for fostering Smart Peace include:

Capitalize on current regional instability. Major political shocks (world wars, civil wars, significant changes in territory and power relations, regime change, independence movements, or transitions to democracy) create the conditions for change. Events such as those erupting in the Middle East region today (the *Arab Spring*) promote optimal conditions for dramatic realignment of sociopolitical systems. However, the effects of such destabilisation are often not immediately apparent and do not ensure radical change; it is therefore only a necessary but insufficient condition for peace. Nevertheless, instability does present unique opportunities to affect the probabilities of the future of the nation.

Decouple the conflict. Most enduring conflicts are embedded in a complex network of independent but related conflicts, which contribute to their intractability. These conflicts typically require a period in which they delink from other, more distant conflicts, before peace can emerge. For instance, the fate of Israel–Palestine would improve considerably were it to delink from the many other regional and international conflicts with which it is associated. In the 1970s and 1980s, in fact, the Arab–Israeli conflict became less severe as Jordan chose not to take part in the 1973 war and Egypt made peace with Israel.

Work from the bottom up. Shifting the focus from big-picture ideals (power and governance) to achievable, on-the-ground goals can loosen the conflict's stranglehold on the peace process and ignite it from the bottom up. During round-table negotiations, focus first on moving the practical aspects of the society forward (functional health care, agriculture, transportation, tourism, etc.). Working at this lower level, while temporarily circumventing the global issues of power, control and identity, can help to initiate an altogether new emergent dynamic.

Identify and support indigenous repellers for violence. Communities around the world – indeed, most especially the major religions present in the Israel–Palestine region – have well-established taboos against committing particular forms of violence and aggression. To varying degrees, they all emphasize impulse control, tolerance, nonviolence, and concern for the welfare of others. These values, when extended to members of other groups, hold great potential for the prevention of violence and the peaceful resolution of conflict.

Envision complex networks of causation. Although these conflicts may start small, over time they gather new problems and grievances and disputants which combine in complicated ways to increase their intractability. It helps to understand this, even to map out the different parts of the conflict, in order to get a better sense of what is operating. This is particularly important when the polarizing tide of *Us vs. Them* becomes strong and leads to the oversimplification of the sources of the conflict ('Them!').

Welcome weak power. Case studies of intractable conflicts where sustainable resolutions eventually emerged have taught us that

forceful interventions by powerful authorities or third parties rarely help for long. Paradoxically, they have shown that it is often weaker third parties who employ softer forms of power (are trustworthy, unthreatening, reliable, and without a strong independent agenda) who often are most effective as catalysts for change.

Support existing islands of agreement. Harvard Law Professor Gabriella Blum has found that during many protracted conflicts, the disputing parties often maintain areas in their relationship where they continue to communicate and cooperate, despite the severity of the conflict. In international affairs this can occur with some forms of trade, civilian exchanges or medical care. Bolstering such islands can mitigate tensions and help to contain the conflict.

Identify the invisible 5 per cent. Because our perception is so strongly affected by tense conflicts (we tend to process negative information about the other side and ignore positive information), simply helping parties to recognize the 5 per cent of actions by the other side that are benign or even benevolent in intention can help to constrain the spread of negativity in conflict.

Rethink time. Research has also shown that the changes brought on by destabilizing shocks to systems often do not manifest right away. In fact, with intractable international conflicts, changes can take up to ten years after a major political shock before their effects take hold (note that the Arab Spring occurred roughly ten years after 9/11 and the US occupation of Afghanistan and Iraq destabilized many political structures in the region). Thus, conflicts of this nature require us to rethink our tendency to think in terms of immediate cause-and-effect, and to understand that changes in some complex systems operate in radically different time frames.

Channel support through local, functional and effective social entrepreneurs, CBOs (community-based organisations) and NGOs (non-governmental organisations). Providing this type of indirect support aimed at increasing positivity and decreasing destructiveness is probably one of the main venues for states to help support the emergence of peace without trying to make peace.

To conclude, I wish to quote John F. Kennedy, whose statement below captures the essence of Smart Peace:

> Too many of us think [that peace] is impossible. Too many think it is unreal. But that is a dangerous, defeatist belief. It leads to the conclusion that war is inevitable, that mankind is doomed, that we are gripped by forces we cannot control. We need not accept that view...Let us focus instead on a more practical, more attainable peace, based not on a sudden revolution in human nature but on a gradual evolution in human institutions – on a series of concrete actions and effective agreements which are in the interest of all concerned. There is no single, simple key to this peace; no grand or magic formula to be adopted by one or two powers. Genuine peace must be the product of many nations, the sum of many acts. It must be dynamic, not static, changing to meet the challenge of each new generation. For peace is a process – a way of solving problems.[95]

[95] J F Kennedy's Peace Address at American University, June, 1963.

Switzerland's experiences in peace mediation

David Lanz and Simon J. A. Mason[96]

This article provides a brief overview of Switzerland's role in international peace mediation, examining the historical context, policy instruments, and regions of engagement of Swiss peace policy. It finally points to a number of key challenges of the peace mediation field in light of Switzerland's experiences.

Switzerland as a mediation actor

Switzerland's current engagement in peace mediation actually represents the continuation of a long-standing tradition. Starting around 1870, Switzerland adopted a more active foreign policy and sought to contribute to world peace by organizing

international arbitrations and peace conferences. The Swiss government also began to offer its "good offices", representing one state in another state with which the former does not have diplomatic relations. Good offices peaked during World War II when Switzerland held nearly 200 protective power mandates.[97]

After the war, the Swiss government reverted to a more isolationist posture, emphasizing permanent neutrality and choosing to remain on the sidelines of the newly created United Nations. However, it continued its peace promotion activities, which increasingly included mediation, for example brokering an agreement between the Algerian National Liberation Front and the French government in 1962.

[96] The authors of this article work in the Mediation Support Project. The Mediation Support Project (www.peacemediation.ch) is a joint venture between the Center for Security Studies (CSS) at the ETH Zurich and the Swiss Peace Foundation, Swisspeace. It receives financial support from the Swiss Federal Department of Foreign Affairs (FDFA). The authors would like to thank Murezi Michael (Swiss FDFA), Matthias Siegfried (Swisspeace), and Damiano Sguaitamatti (former CSS) for their valuable inputs in preparing the presentation.

[97] T Fischer, 'From Good Offices to an Active Policy of Peace: Switzerland's Contribution to International Conflict Resolution', in: *Swiss Foreign Policy 1945–2002,* J M Gabriel and T Fischer (eds), Palgrave Macmillan, 2003.

Moreover, Switzerland took on further protective power mandates, most famously representing the US in Iran and Cuba.

The end of the Cold War brought profound changes to the attitudes of Swiss public opinion and foreign policy decision-makers. Many of them embraced a new concept of security, centred on the notion of 'human security'. At the same time, they sought to position Switzerland as a more active player in the world, invoking the phrase 'active neutrality' to this end. Since domestic politics put a check on Swiss participation in military peacekeeping missions, the emphasis was rather put on civilian peacebuilding and mediation in particular.[98]

In this context, three main arguments emerged in the discourse around the Swiss government's engagement in peace mediation. First, mediation is said to contribute to a more secure world, which is increasingly interconnected and requires global burden-sharing to counter security threats. Second, it was argued that mediation improves Switzerland's standing in the world, opening doors for Swiss diplomacy in Washington, Moscow and other places. Third, mediation is described as a good fit in terms of the values that many Swiss identify with, such as neutrality, the humanitarian tradition and the protection of minority rights.[99]

These arguments have gained momentum in the last ten years and as a result, Switzerland has extended its peace promotion engagement on multiple fronts. Accordingly, Swiss voters have anchored peace promotion in the federal constitution and the government has defined it as one of its five foreign policy objectives. Also, peacebuilding was institutionalized within the Swiss Federal Department of Foreign Affairs with the creation of a division dealing specifically with human security issues – the Human Security Division. Moreover, at four-year intervals starting in 2004, the Swiss Parliament has approved a credit facility, which provides the government with fixed annual budgets for peace promotion activities. During her tenure as head of the Swiss FDFA between 2003 and 2011, Federal Councillor Micheline Calmy-Rey also showed leadership in pushing the mediation logic of talking with all actors who are willing to talk, which helped to make the idea of mediation known domestically.

[98] D Lanz, 'Active Neutrality Constructed: The Development of Swiss Peace Policy since the End of the Cold War', Paper presented at the 6th ECPR General Conference, Reykjavik, 25–27 August 2011.

[99] Thomas Greminger, 'Swiss Civilian Peace Promotion: Assessing Policy and Practice' Center for Security Studies, ETH Zurich, 2011, online: www.css.ethz.ch

External perceptions were also important with regard to fostering Swiss engagements in peace mediation. As a small state with a long-standing policy of neutrality and a consensus-oriented system of democracy, Switzerland is often perceived by conflict parties and other mediators as non-threatening while at the same time being seen as competent. Another factor is that Switzerland does not have a policy of listing armed non-state actors as terrorist groups, and as a non-member, it is not obligated to follow the European Union's policy in this area. This means that representatives of the Swiss government can legally talk to many of these groups, even as other countries are precluded from doing so.

Taking these factors into account, since 2000, Switzerland has been engaged in approximately 20 processes in 15 countries and regions. The list below presents a selection of some of these engagements:

- Armenia–Turkey Protocols (2009)
- Burundi: Arusha and post-Arusha peace talks (1997–2008)
- Colombia: ELN – Government of Colombia (2005–2008) and FARC – GoC talks (2002–2008)
- Cyprus: talks on Bürgenstock (2004)
- Indonesia, Aceh: Coaching of GAM (2005), support in implementation of agreement (2005–2007)
- Middle East: Geneva Initiative, support of track 1.5 Israel Palestine talks (2003–ongoing); support of Israel-Syrian track II (2005–2007)
- Nepal: support of peace process with process and constitutional experts (2006–ongoing)
- Uganda: North Uganda–LRA process (2006–2007)
- Sri Lanka: hosting of LTTE – Government of Sri Lanka talks (2006)
- Sudan: Nuba Mountains Bürgenstock Agreement Swiss-US co-mediation (2002), North-South mediation expert in IGAD CPA mediation process (2002–2005), Darfur: power sharing expertise and capacity building (2005–2010)
- Western Sahara: support to talks led by the UN (2010–ongoing)

Switzerland has various tools at its disposal to support mediation processes in different phases and on different tracks. One of these tools is the direct involvement of Swiss government representatives, such as the State Secretary or its special envoys. Switzerland also seconds mediation experts that work in teams led by other entities, such as the UN. It organizes training workshops, aimed at strengthening the mediation capacities of regional or international organisations. Switzerland also has strategic partnerships with NGOs working in the field of mediation (e.g. Berghof Foundation for Peace Support, Centre for Humanitarian Dialogue, and Conciliation Resources). Finally, it funds various peacebuilding programmes and deploys advisors working to support peace processes at various levels of society (grassroots to government).[100]

Challenges of peace mediation

The Swiss experience reveals a number of key challenges that are illustrative of the general challenges in the mediation field.

Motivation(s). From the outset, the promoters of peace policy in Switzerland have put forward two distinct lines of argumentation. One line is that peace mediation corresponds to Switzerland's values and its humanitarian tradition, the other being that mediation promotes the national interest by enhancing Switzerland's standing in the world. The combination of these two motivations has been effective because it caters to two audiences: those thinking that foreign policy should reflect their values and those focusing on material benefits. However, this double argumentation does pose several challenges. For the latter group, the challenge is to not 'oversell' mediation or to foster unrealistic expectations of what mediation can achieve. As far as the former audience is concerned, the challenge is to ensure that mediation is not self-referential, but that the yardstick of success remains improving the situation for people in countries of conflict.

Risk-taking. Inevitably, peace mediation is messy and politically delicate. Mediators can become scapegoats or misused for other

[100] See: S Mason, 'Peacemaking through Mediation: the Swiss FDFA in Israel-Palestine, Sudan, and Guatemala', in Peacemaking, from Practice to Theory, S A Nan, Z C Mampilly and A Bartoli (eds), Praeger, 2012 (forthcoming).

political purposes. In 2008 the Colombian government discredited a Swiss mediator, partly to detract attention from their military hostage rescue operation.[101] For a state like Switzerland the question is to what degree it is prepared to take risks in mediation processes. Of course, risky engagements can backfire politically. However, if a state is risk-averse, there is a danger that it will circle around mediation, missing opportunities for getting involved or opting out at the most crucial phase in the process and leaving the parties in a ditch. The challenge is for a state to build domestic support and a cross-political consensus on peace mediation, empowering its representatives to take the necessary risks to achieve their intended outcome. In this regard, Norway serves as a role model for other small state mediators.

Coherence. Mediation is not a standalone tool. A range of policy areas have repercussions on countries of conflict, and different tools can be brought to bear to support peace processes, some of which go beyond conventional peace promotion. In the case of Switzerland, trade policy, development aid and security assistance are all relevant. The challenge is to seek complementarity and coherence between these different areas as well as the government agencies in charge of them, in the spirit of the 'whole-of-government' approach. Thus, Switzerland's experience supporting the peace process in Sudan has shown that regular contacts between persons in charge of the Sudan file in different agencies fosters the implementation of a coherent approach.

Professionalisation. Mediation processes are increasingly complex and require specialized knowledge on the part of the mediators. Small states like Switzerland are often sought-after as mediators precisely because they can provide such knowledge. Therefore, the challenge for an aspiring small state is to build up the expertise and human resources to make it an attractive candidate in mediation processes. This can happen within state structures; as mentioned above, Switzerland has created a division within the Federal Department of Foreign Affairs exactly for this purpose. Flexible structures are also promising, allowing for human rotation and knowledge transfer between state and non-state actors. It is vital that efforts to professionalize peace mediation are supported financially and by

[101] 'Die Affäre Gontard Ist ein Ablenkungsmanöver', *Neue Zürcher Zeitung*, 23 July 2008.

building up human resources through long-term training and career management.

Collaboration. Peace mediation is a crowded field in some cases, but not in others. Thus, there are worrying signs of competition and turf battles between different mediation actors in some conflicts, while less attractive conflicts are neglected. The challenge for small state mediators is therefore to collaborate with others using their specific comparative advantages. One area of collaboration is joint training. For example, the Swiss government organizes the annual Peace Mediation Course[102], bringing Swiss mediators together with practitioners from other foreign ministries, the UN as well as NGOs. Another possibility is for small states to provide targeted support to processes led by other actors. For example, a senior Swiss mediation expert was brought in to coach GAM negotiators in the Aceh negotiations mediated by former Finnish President Martti Ahtisaari and his Crisis Management Initiative.

Conclusion

Small states have unique comparative advantages in the field of mediation, as they are generally more nimble than larger mediation entities such as the UN, regional organisations or powerful states. At the same time, they have more resources, political clout and democratic legitimacy than NGO mediators. Nonetheless, small states are confronted with numerous challenges when seeking to develop their mediation profile: creating a solid domestic consensus for mediation, fitting mediation activities into a coherent 'whole-of-government' approach, professionalizing the field of mediation by investing in human resources, and collaborating with other mediators in order to increase efficiency and minimize negative competition. Switzerland's experience in addressing these challenges seems to follow an incremental, step-by-step approach. The hope is that this leads to a more stable basis for greater mediation activities.

[102] Available at: www.peacemediation.ch

Mediation by example: How Turkey could stabilize the Middle East

Nora Fisher Onar

Aspiring mediators in the Middle East must seize those rare moments when conflicts are ripe for resolution, displaying sufficient impartiality to gain the trust of parties in a region where suspicions run deep. At the same time, they must engage with enough conviction to impact preferences. All too often, this gives rise to a vicious circle. For engaging in a region animated by zero-sum dynamics leads to partisanship, undermining the mediator's ability to maintain equidistance. In this piece, I show that the short-lived attempt by Turkey in the mid-2000s to mediate in the Israeli-Palestinian conflict succumbed to this dynamic. I argue that if Turkey focuses instead on balancing equidistance towards, and empowerment of diverse groups within its own polity, it could serve as an inspiration in a region which, at this critical juncture in the wake of the Arab revolutions, there is an urgent need for a success story when it comes to living together in diversity.

Peace mediation in the Middle East

There are conflicts in all regions, yet in few do zero-sum games prevail as much as in the Middle East. For over half a century, the states and societies of the region have been grappling with the legacies of colonial domination, authoritarian rule, ethnic and sectarian tensions, religious radicalism, and a heady cocktail of underdevelopment and oil wealth. In such a context, peace-making can be a dangerous business, and all too often peace-makers have paid for their efforts with their lives.

Revealingly, only a few mediators to date have registered even a modicum of success vis-à-vis the most intractable problem in the region: the Israeli-Palestinian conflict. One such mediator, Norway, is a small, stable, and prosperous society far removed from the turbulent Eastern Mediterranean. How did this country – aloof even from Europe – manage to entice Israelis and Palestinians to

the negotiating table? At least two factors played a role. One was timing. The Oslo initiative came in the early 1990s, when Israelis and Palestinians were so exhausted by the first *intifada* that both sides could contemplate concessions. A second, critical dimension was Norway's apparent equidistance from the parties. The ability to project an impartial image helped coax to the table Israelis and Palestinians long accustomed to viewing the world as arraigned against their respective causes.

Once the deal went public, however, it became clear that mediators with greater political clout in the region and ability to channel more resources towards conflict resolution were needed. Enter the United States and the Clinton-brokered handshake on the White House lawn. Washington's allies in the EU also contributed to the settlement by agreeing to foot the bill for the construction of a nascent Palestinian state apparatus. Yet, the very act of engagement meant Americans and Europeans were soon accused of partisanship as talks broke down and violence resumed after 2000.

This suggests that, even when the timing is such that a conflict appears ripe for resolution, an aspiring mediator must be *impartial* enough to gain the trust of the parties, but *engaged* enough to impact preferences. This presents a paradox, and helps explain why mediation efforts in the Middle East persistently break down. For, whenever one takes on the complex matrix of charged relationships in the region, one is roped into partisan positions, eventually becoming a party to rather than a broker in the conflict. The short-lived Turkish attempt to mediate in the Israeli-Palestinian conflict in the mid-2000s unravelled due to this dynamic. However, if Turkey focuses instead on ensuring a balance between equidistance towards and empowerment of diverse groups within its own polity, it may be able to act as a stabilizing force in the region.

Turkey's potential in peace mediation

Since the early 2000s, Turkey has undergone a 'quiet revolution'.[103] The process began with the electoral victory, back in 2002, of the

[103] O Bengio, 'Turkey's Quiet Revolution and its Impact on Israel'. *Israel Journal of Foreign Affairs,* IV:1, 2010.

pro-religious but pragmatic Justice and Development Party (AKP) on an EU accession-oriented platform. The AKP proceeded to pursue extensive democratizing reforms. This created a permissive environment for internal debates over outstanding issues like the Kurdish question. It also allowed for the pursuit of novel – if fruitless – approaches to long frozen conflicts like Cyprus. But, by the mid-2000s, Turkish progress towards Europe had sparked resistance both across the EU and within Turkey itself. As doors to the West slammed shut, the AKP – bouyed by a thriving economy – cast towards the East and the South for a new role and purpose.

AKP-led Turkey did so by reaching out to diverse actors in the region, including many former rivals, on the basis of the foreign policy principle 'zero problems with neighbours'. A sort of categorical imperative for foreign policy, the formula was meant to enable Turkey to decouple conflicts that had long been linked – reaching out to Armenia, for example, without insisting from the outset on a concurrent solution to the Armenian-Azerbaijani conflict over Nagorno-Karabagh. Such efforts were sustained through proactive diplomacy, multilateralism, cultural exchange, and, trade and economic cooperation. This amounted to a pioneering template for converting rivalry into interdependence. Though not explicitly formulated as such, the 'zero-problems' approach was also predicated on the logic of subsidiarity – of reaching out to all parties in the region including those deemed pariah by the West such as the Iranian and Syrian regimes and the militant Palestinian organization Hamas.

The AKP argued that under the rubric of 'zero problems', outreach to Islamists did not mean abandoning the strategic alliance with Israel forged by the Turkish military the previous decade. Some observers doubted this and charged the Islamic-rooted AKP with a hidden agenda; the party, after all, was heir to a movement for which antipathy to Israel had long been a basic tenet. Others suggested Ankara was naïve and being manipulated by old hands in Middle Eastern intrigue like Iran. But Turkey's leadership insisted that its multi-pronged and decoupled approach would enable it to broker dialogue between all parties in the region including key players inaccessible to Western mediators. In effect, this was an attempt to bridge impartiality and engagement by being inclusive towards actors across the region while trying to reframe interactions through the mutual benefits of enhanced economic and political ties.

The approach proved unworkable and was scuttled in late 2008 when, on the eve of a Turkish-brokered Syria-Israel agreement, Israel launched the Gaza war. This offended the AKP leadership, and the ensuing years have been punctuated by crisis after crisis such that relations between the two governments are now thoroughly soured. Meanwhile, figures from the Turkish leadership discovered the political capital and street credibility that Israel-bashing delivers in the Arab world. Colourful commentary to this effect alienated friends of Israel, not least in Washington. The upshot, as Ivan Krastev has put it, is that today there is 'zero chance for zero problems'. Thus Turkey, like other aspiring meditators in the Israeli-Palestinian conflict, succumbed to the tension between the need for impartiality on the one hand, and engagement on the other, becoming embroiled in the very conflict it sought to mediate.

While diplomatic proactivism in the Middle East can be a complicated affair, Turkey could still help stabilize the region. The key is to recognize that Turkey's biggest challenge at home mirrors that of the region more broadly, namely, the need to learn how to live together despite apparently incommensurable identities and interests. The AKP, with its strong mandate for constitutional reform (59 per cent), has an unprecedented capacity and opportunity to consolidate Turkish democracy. To do so, it must enshrine an inclusive political framework through constitutional reform. This would permit Turkey to achieve that critical and elusive balance between equidistance towards and empowerment of antagonistic groups within its own polity, radiating an example for the broader region.

To this end, negotiations between the AKP and other factions including Kurdish leaders are currently underway in parliament. The debate is riddled with tensions, but there is consensus among moderates across camps that a return to the bad old days of interminable low-scale conflict in the predominantly Kurdish southeast and persistent insecurity in the rest of the country is intolerable. The outpouring of solidarity across Turkey for victims of a recent earthquake in Van, a predominantly Kurdish city, speaks too of the will of ordinary people to muddle through together. Yet spoilers have already mobilized to undermine the process and, in recent months alone, hundreds have died in separatist violence. This, in turn, heightens Turkish nationalist intransigence. To be sure,

Turkey must fight PKK terrorism with all the means it can, but doing so without a commitment to democratic resolution of the Kurdish problem is a recipe for disaster domestically, as well as for Turkey's relationships in a Middle East where Iran, Iraq, and Syria all have cards to play should the Kurdish conflict go transnational. In short, the most effective tool at the AKP's disposal is to neutralise support for the PKK by co-opting ordinary Kurds through an inclusive constitutional settlement. The same is true for other oppositional groups in Turkey's heterogeneous polity.

If AKP-led Turkey can institutionalize protection of Turks and Kurds, Sunnis and Alevis, conservatives and advocates of open lifestyles, under the same constitutional rubric, a democratic, prosperous and peaceful Turkey can 'mediate by example'. In so doing, it would demonstrate that equidistance and empowerment are both possible in the Middle East. The timing could not be better, as the region embarks upon the fraught path of re-negotiating its domestic and international relations in the wake of the revolutions and elections, wars and withdrawals of 2011. In this context, Turkey's democratic consolidation would resonate in Egypt and Tunisia where democratically elected but inexperienced political Islamist governments must come up with a formula to accommodate large non-Muslim and non-practicing minorities or risk inter-communal conflict. It may also resonate with actors in multi-ethnic, multi-confessional Syria on the cusp of civil war. It would dampen the lure of Saudi petrol dollars with their Wahabi strings, and mitigate the influence of an Iran which has sought to export its revolution and sectarian cleavages. A Turkey that has consolidated its democracy would also complement the work of resource-rich Qatar in fostering critical debate. Last but not least, it might offer a glimmer of inspiration for those in Israel and Palestine who call for mutual recognition and co-habitation.

Part IV

Finland's prospects as a peace mediator

Finland and UN peace mediation

Touko Piiparinen

The priorities that Finland has recently pursued in its mediation initiatives in the UN, the EU and elsewhere include gender, Rule of Law (RoL), the participation of civil society and comprehensive crisis management. These themes were incorporated in the first ever UN General Assembly resolution A/RES/65/283 (2011) on mediation initiated by Finland and Turkey. The joint Turkish and Finnish initiative had established the Friends of Mediation group in September 2010 that subsequently led to the drafting of the resolution.

The drafting process lasted over half a year and involved dozens of negotiation rounds, not because of direct opposition against mediation as such among UN membership but mainly because of the fact that the level of ambition was set high by the initiators of the resolution – the drafters aimed at an extensive and substantive resolution. Instead of a short procedural resolution stating the interest of the General Assembly (GA) to remain 'seized of the matter' of mediation, the intention was to come up with a substantive and substantial one. Discussions on the substance of the resolution, in turn, led to a careful drafting process on the exact wording used in it and on a variety of other matters that were loosely related to mediation as such. Countries suffering from civil or inter-state wars or emerging from them aimed to make sure that none of the provisions in the resolution would hint at the possibility of a foreign intervention in their internal affairs and sovereignty.

Setting the bar high (a substantive resolution) was a commendable move. Without active efforts on the part of the initiators of the resolution, gender would not figure as prominently in the resolution, although it should be noted that gender had already been emphasised in relation to mediation by the MSU and many other actors prior to the drafting of the resolution. In future, Finland could further expand the initiative taken at the GA also in other forums and organs of the UN, including the Security Council. If Finland were selected as a non-permanent member of the Security Council in 2012 for the period from 2013 to 2014, it could organise an informal interactive dialogue or a thematic debate on mediation which would be open not only to the Security Council and UN member states but also to non-

governmental organisations. The dialogue could be followed by the adoption of the first thematic resolution of the Security Council on mediation, which would confirm the GA Resolution A/RES/65/283. It could also be linked to the Security Council Resolution 1325 on women, peace and security as well as other relevant resolutions, including the thematic Resolution 1674 on Responsibility to Protect (RtoP).

Mediation has already been raised on the Security Council's thematic agenda at a lower level. On 23 September 2008 the Security Council adopted a Presidential Statement[104] on mediation, followed by a high-level meeting of the Council convened by the President of Burkina Faso on the topic of 'mediation and settlement of dispute'. In the near future, Morocco is expected to raise mediation on the agenda of the Security Council during its membership in the Council from 2012 to 2013, but its concrete initiatives are as yet unknown. From 2013 to 2014, the Council's engagement in mediation could and should be further enhanced through Finland's initiative. Mediation could be elevated from the Presidential Statement to the level of Security Council resolution not only to secure the adequate resourcing of the MSU and other mediation initiatives of the UN but also to clarify some of the conceptual and operational confusions revolving around mediation, particularly the question of its applicability in a conflict cycle and its relationship to other forms of conflict management.

Thus far, the themes pushed forward by Finland in UN peace mediation are subjects that are already mainstreamed in Finnish foreign policy. Gender, RoL and civil society are all subjects that are routinely emphasised by Finland in multilateral diplomacy. The 'donor mentality' premised on the prefixed set, or mantra, of national priorities entails a risk that mediation could occasionally be (mis)understood as driven primarily by the foreign policy objectives of individual states rather than by factors inherent in the practice of mediation itself. In the former sense, mediation initiatives are guided primarily by donor interests and mediation is portrayed as a blank canvas on which individual states project their foreign policy priorities, whereas the latter approach is driven by concerns related to mediation itself, coupled with the careful analysis of the critical gaps of current international peace mediation and a genuine attempt to improve mediation techniques.

[104] UN Doc. S/PRST/2008/36, 23 September 2008.

One way to avoid the aforementioned risk would be to allocate more resources to research on critical gaps in international peace mediation itself, for example on the absence of women in mediation processes and in mediation structures and on the positive societal impacts of the participation of women in mediation processes. One hypothesis for such research projects could be a positive correlation between the participation of women in mediation processes and sustainable peace. Although mediation is widely conceived of as a technical exercise, the outcome of which is the cessation of conflict, in reality it is part of a complex state-building process with fundamental societal implications: during peace mediation, disputing parties lay down the basic structures and organising principles for the constitution of a just post-conflict society where equality should prevail.

If gender aspects are not sufficiently taken into consideration during the mediation phase, which is often an initial step in the state-building process, this will diminish the prospects of a just post-conflict society where state structures will be constructed on a sound basis with equitable distribution of official positions between men and women and respect for gender equality, which all are conducive to sustainable peace and prevent structural violence. A comparative analysis of peace settlements in which women have been involved and those in which female mediators have been absent could reveal that the former can lead to a more lasting peace and decrease the risk of relapse of conflict compared to the latter scenario.

A comprehensive approach to mediation

'Peace comes dropping slowly.'
– William Butler Yeats[105]

In the Finnish public discussion and media, mediation has often been mixed with peacebuilding. That ostensible error, however,

[105] This adage was applied by the UN Secretary-General Ban Ki-moon in an address at Ireland's Dublin Castle in 2009, reflecting on both the scale and longevity of current operations. R Gowan 'Floating Down the River of History: Ban Ki-moon and Peacekeeping, 2007–2011'. *Global Governance*, vol. 17, no. 4, 2011, p. 410.

is actually underpinned by a clear rationale: when speaking about mediation, one is inclined to emphasise peacebuilding in order to demonstrate that mediation is not a short-term and temporarily limited exercise which ends up in an artificially defined moment, that is, the conclusion of a peace agreement. Instead, the empirical evidence shows that there is a high probability of the relapse of violence after the conclusion of peace agreements. Between one-quarter and one-third of peace agreements ending civil wars collapse within five years.[106]

In fact, the empirical evidence shows that the conclusion of peace agreements – followed by post-conflict interventions – may occasionally increase the conflict potential in weak, fragile and failed states. In Angola and Rwanda in the 1990s, the peace agreement followed by the rapid holding of democratic elections served as a catalyst for renewed violence. Similarly, in Cambodia and Liberia elections gave way to superficial democratisation and a quick return to authoritarianism and, in the case of Liberia, to resurgent war. In numerous other cases, the holding of democratic elections alone has proved grossly insufficient to generate tangible progress in human development, for example in the democratic Republic of Congo, where neither the conclusion of the peace agreement in 2003 nor even the holding of democratic elections in 2006 succeeded in bringing peace and stability in the country.[107]

The above empirical experiences entail two important conclusions: Firstly, mediation conducted prior to the conclusion of a peace agreement should be multi-track and tackle long-term questions pertaining to the future of society, and it should be an inclusive process involving all relevant social and political groups in order to generate sustainable and lasting peace. Only when all stakeholders are involved in a peace process can a mediator make sure that the risk of the relapse to conflict will be diminished and that all the actors are ready and willing to comply with the provisions of the peace agreements. The vital importance of the comprehensiveness of mediation partly explains why countries such as Finland emphasise

[106] C T Call, 'Ending Wars, Building States', in Building States to Build Peace, C T Call and V Wyeth (eds), Lynne Rienner, London, 2008, p. 1.

[107] See for example R Paris, 'Understanding the "Coordination Problem" in Postwar Statebuilding', in *The Dilemmas of Statebuilding: Confronting the Contradictions of Postwar Peace Operations*, R Paris and T D Sisk (eds), Routledge, London, 2009, p. 55.

Track II mediation and tend to 'outsource' mediation functions to non-governmental organisations: these measures serve the inclusiveness and comprehensiveness of mediation, which engage the whole of society in the peace process and thus enable sustainable peace.

Secondly, mediation should be actively utilised even after the conclusion of peace agreements. As already described in Chapter 3 on UN peace mediation, Finland has actively promoted the vision of comprehensive mediation in the UN context, which is applicable throughout a conflict cycle, including peacebuilding. The comprehensive approach has also been reflected in actual mediation processes. An apposite example in this regard is the peace process in Aceh facilitated by Martti Ahtisaari: the monitoring of the peace agreement and regular political dialogue between the parties to the agreement were sustained even six years after the conclusion of the peace agreement.

Peace mediation as a reflection of Finnish foreign policy: What does mediation mediate about Finland?

Touko Piiparinen and Mika Aaltola

Mediation as a part of the strategic communication and identity-building of Finland

The previous article showed that Finland's mediation initiatives currently reflect its wider priorities in multilateral diplomacy and UN policy. Although this by no means undermines the value of such initiatives, it raises the question of what mediation actually means to Finland. How crucial is mediation in Finnish foreign policy? Does Finland genuinely attach importance to mediation and believe it constitutes the key instrument of conflict management compared to coercive measures? Or is the promotion of mediation merely a strategic move aimed at pursuing short-term foreign policy objectives? On the other hand, it is possible to question whether mediation efforts are ever isolated from the mediator's other interests or from prestige-related opportunity structures. To fully understand how mediation fits into the fuller range of foreign policy practices, it is important to examine the history trajectory of how the mediation practice developed as an integral part of the overall Finnish foreign policy 'bundle'.

In answering these questions, a brief overview of the history of Finnish peace mediation is in order. During the Cold War, mediation was undoubtedly part and parcel of the Finnish identity-building process. This process was aimed at finding active practices through which Finland could influence its own fate and acquire some staying-power in the geopolitical context determined by the superpower confrontation. Although Finland's unique geopolitical location between the East and the West has often been viewed as a determining factor and constraint of Finnish foreign policy, particularly among realists, it actually opened up opportunities for Finnish foreign policy and mediation services in at least three ways.

First, there was a 'pull effect' on Finnish mediation. The bifurcated world order generated international demand for neutral mediators in conflicts which involved the interests of the Western and Eastern blocs. Much of the Finnish activity centred on defusing those conflicts which hid hostilities between the two blocs. Finland constructed an identity that focused on bridge-building and providing forums for the ideologically different actors to come together. On account of Finland's neutrality, competent Finnish experts like Ensio Siilasvuo were viewed as eligible candidates to serve as peacekeepers and mediators in conflicts that were infused with superpower interests. Siilasvuo served as the Commander of the UNEF II (United Nations Emergency Force) and later as the Chief Coordinator of the UN Peacekeeping Missions in the Middle East. These assignments required not only military expertise in peacekeeping but also highly sophisticated mediation skills between the belligerent parties.

Second, there was a 'push effect' on Finnish mediation arising from Finland's active efforts and its own initiative to sustain the multilateral system of UN security architecture that benefits particularly small states. The Finnish government enabled and even produced skilful individuals to serve in UN peace processes, as evidenced by Sakari Tuomioja's contributions to the Cyprus peace process. The third, and related, factor was that mediation constituted part of the language of foreign policy. Mediation served as a signal to foreign countries to reconfirm Finland's policy of neutrality. According to the prevalent foreign policy axiom coined by President Urho Kekkonen, Finland regarded itself as a physician rather than a judge in international relations. The 'physician' approach explicated that Finland did not assume a judgmental role *vis-à-vis* the Soviet Union, for example on its human rights violations. The focus on peace mediation fitted that picture well, considering the fact that mediators aim to function between disputing parties without taking sides in the process. The Soviet system and the super-power confrontations were framed as security problems, yet curable ones if the cure was applied in the right way at the right time.

It was a challenge in which Finland invested itself considerably, given that the country's position in the major geopolitical divider posed a challenge of communicating across ideological divides. Framed in this way, the existence of the Soviet Union presented a test and, consequently, a potential source of prestige and power for

those managing to straighten the problems out. Through successful mediation policies, Finland could move from the bind of its international environment onto the 'higher' and 'more prestigious' map of neutral mediators. The Finnish–Soviet relationship started to change from a marriage of convenience into one of fortunate co-habitation and, in the end, into a source of a particular brand of prestige and power for Finland. The eastern neighbour became a valuable way for Finland to show that it could do things that were in the general interests of worldwide appeasement. Finland as a 'physician' in connection with a 'bridge' found its prime locus in the Conference on Security and Co-operation in Europe, which opened in Helsinki in July 1973. Finland managed to provide the initiative for the meeting and a place for East and West to come together. This strengthened the Finnish identity both at home and abroad as a neutral ground in between, or above, the ideological rift.

Hence, Finland's initiative to serve as an active and neutral mediator was part of its policy of neutrality, which, in turn, was vital to Finland's own defence and security policy. Therefore, mediation was indirectly an existential issue pertaining to and bundled with Finland's own security, independence and territorial integrity. This constitutes an important factor in the active lobbying of Finnish candidates in mediation tasks. The 'push factor' on the part of the Finns themselves to mediation tasks probably weighed as much in the balance as the 'pull factor' pertaining to the international system, namely the international demand for neutral mediators when it came to the activation of Finnish mediation during the Cold War.

After the end of the Cold War, conflicts in the global South – the former satellites of the Eastern or Western blocs – no longer involved the superpower rivalry. As a result, there was a decrease in the international demand for the unique mediation capacities offered by neutral countries like Finland. Moreover, the meaning of mediation became more strategic than existential for Finland. There is no longer the 'greater narrative' derived from the necessities of Finland's geopolitics and survival, which would spontaneously generate a need on the part of the Finns themselves to signal Finland's neutrality and independence to foreigners, as embodied in mediation activities.

An additional factor in the Finnish construction of mediation was the high value placed on national consensus. The physician-related policies were directed partly at the nation itself. This activity re-

imagined Finland as one national entity over and above the internal ideological rights and language battles. Foreign policy language took on a more refined form, which the national audience was very cognizant of. However, the shared consensus on the Finnish approach had its limits. The idea of a mediating bridge was in a tense contestation with the discourse of Finlandisation that surfaced with a vengeance during the 1970s. The term Finlandisation referred to the morally dubious attitude of Finland towards the communist East.

The ways in which the initial fragile and marginal position was refined into a self-perceived privileged position is one of the most intriguing examples of Finnish domestic and foreign policy. The mediation efforts placed high value on the Finnish marginal position. This seemingly disadvantageous position was turned into a privileged vantage point. Finland was perceived as privileged because it had direct contact with the actors in the East and the West and was, therefore, able to more fully grasp what they meant, feared, and desired. Closely related to this development was the ideational preference for a neutral middle position. The self-image during the Cold War was based on the idea that Finland mattered because it aspired to mitigate and stay out of the superpower confrontations between the East and the West. It branded itself as a non-partisan intermediary. Finland identified with the Nordic values and, consequently, perceived itself as an exemplary avant garde force in European affairs. Through its own brand of mediation, Finland acquired an important sense of agency which was even recognised by the outside powers.

Re-branding peace mediation

If the greater narrative of peace mediation does not arise spontaneously, it needs to be summoned, reinvented and rediscovered. This explains why some of the current peace mediation activities initiated by Finland are inspired by the Country Brand Delegation chaired by Jorma Ollila, the former Chief Executive Officer of Nokia, whose final report 'Mission for Finland' was published on 25 November 2010. The report attempted to tease out global missions for Finland and suggested, for example, the establishment of an annual

global mediation event, the Ahtisaari Convention, to bring together international crisis mediators to discuss ways of solving ongoing crises and to educate Finnish crisis management specialists.

The report implies that Finland could be more innovative, experimental and even playful[108] in initiating new mediation activities, since the question of mediation is no longer as existential for Finland as it used to be during the Cold War. It also highlights the way in which Finnish mediation involves not only traditional actors and modes of action in the official sector, but also a variety of actors in the private sector and pluralistic methods such as schools and businesses. The above considerations point in one direction: Finnish mediation has gradually shifted from 'serious' existential questions pertaining to Finland's defence (or what Robert Jackson has aptly called 'negative sovereignty') to the strategic questions of what Finland wants to achieve globally and how it wants to brand and market itself through mediation initiatives ('positive sovereignty').

Networking as part of the Finnish policy on peace mediation

Researchers into globalisation have pointed out that the notion of power in international relations is undergoing a transformation. Power no longer resides only in the court of superpowers or in the material and causal ability of states to make others do what they otherwise would not do, such as the power to convince others through the potential or actual use of military force. In the age of globality, power first and foremost alludes to one's immaterial capacity to *produce meanings* of global problems and of one's identity in relation to others. Michael Barnett and Raymond Duvall call this

[108] The playfulness is already reflected in the subheading of the report: *Mission for Finland: How Finland Will Demonstrate Its Strengths by Solving the World's Most Wicked Problems.* Final Report of the Country Brand Delegation, 25 November 2010. Available at: http://www.maabrandi.fi/wp-content/uploads/2011/06/TS_Report_EN.pdf.

kind of power 'productive power', which means the 'socially diffuse production of subjectivity in systems of meaning and signification'.[109]

The modus operandi of productive power is to flexibly reframe and rearticulate advantageous understandings. In the Finnish case, its past mediation-related imageries are deep and rich enough to allow for re-discoveries and re-innovations of its mediation efforts and their overall policy context. The contemporary Finnish mediation models can produce new framings based on its traditional stances. These include the 'physician approach', 'privileged marginality', 'non-participant but engaging neutrality', 'bridge-building', 'connector between opposites', and 'example for others to follow'. The re-cycling of these past heuristics may lead to national agency poised to innovate and to find serendipitous perspectives in possible conflict situations and, through successful mediation thereof, in Finland's identity.

Thus, for Finland, the notion of productive power means Finland's capacity to produce its subjectivity, namely its self-identity and global profile, for example by means of emphasising mediation in multilateral diplomacy with other countries and actors. By emphasising topics related to soft power rather than coercive military interventions, Finland is currently attempting to build its self-image as a peaceful and peace-loving nation. As part of that project, Finland aims to build global networks of information production around it, including non-governmental organisations, to disseminate and reproduce that message globally.

In Finnish policy, networking also serves another, more tangible, function. It provides a channel to establish contacts, to make oneself known internationally and to acquire expertise on mediation-related tasks, which all pave the way to incremental mediation activities. Perhaps the most well-known example of such networking is the work history of the Finnish Nobel Peace Laureate Martti Ahtisaari. Before his appointment as a high-level mediator in Kosovo, Indonesia and elsewhere, Ahtisaari had served as the UN Commissioner for Namibia and as the UN Under-Secretary General. As another example, Pekka Haavisto functioned in several high-level international posts, for instance as the Chairman of the Depleted Uranium

[109] M Barnett and R Duvall, 'Power in Global Governance', in *Power in Global Governance*, M Barnett and R Duvall (eds), Cambridge University Press, Cambridge, 2005, p. 3.

Assessment Team of the UNEP (UN Environment Programme) to Bosnia and Herzegovina, before taking up the post of the EU Special Representative for Sudan. At first sight, environmental protection seems to have very little to do with mediation, but global politics is so intertwined that successful networking and successful performance in one area can open the doors to various other sectors.

While famous Finnish mediators have utilised the UN system as a springboard or a catalyst for incremental mediation activities, Norway has successfully used the International Committee of the Red Cross (ICRC) to the same effect, which deserves a brief overview in this context. During the Cold War, Norway's involvement in mediation was limited. In the late 1980s, Norway's mediation capacities began to evolve and gained momentum in the 1990s. The Norwegian Ministry for Foreign Affairs established a separate unit to deal with peace and reconciliation in 2000.[110] Currently, Finland and many other countries lack a separate unit or section to deal with mediation tasks.

Jan Egeland drew on his ICRC networks and the information that flowed from them in initiating numerous peace and reconciliation initiatives by Norway.[111] Egeland became a renowned mediator in various peace processes worldwide, notably in relation to those of the Middle East and Guatemala. Networking was also integral to Egeland's own working method in the field of peace mediation. As Iver Neumann points out, 'To him, institutionalisation within the MFA would not be worth the candle'.[112] Egeland preferred ad hoc mechanisms in his work on mediation, drew in Norwegians who had networks in the relevant areas, and refrained from the codification of the peace efforts within the foreign ministry. As a result, there was no formal institutionalisation of the mediation portfolio in the Norwegian foreign ministry at the time. Instead, mediation was premised on what Neumann calls 'networked, multi-stakeholder diplomacy' that utilised the mobility and speed of private actors and the stability provided by official actors, a combination that led to impressive results in two decades.

[110] I B Neumann, 'Peace and Reconciliation Efforts as Systems-Maintaining Diplomacy: The case of Norway'. *International Journal*, vol. 66, no. 3, 2011, pp. 563–579.

[111] Neumann 2011.

[112] Neumann 2011.

Both the Finnish and Norwegian experiences show that the embedding of national mediation structures and initiatives in multi-stakeholder networks is the most viable model for small states to conduct mediation. Drawing on lessons of what Egeland terms the 'Norwegian model', Finland could take the multi-stakeholder network approach as its *modus operandi* of mediation, in which the official institutions, for example a separate unit or sector of mediation within the foreign ministry, could be embedded. Active sharing of information and lessons learned between Nordic countries would be vital in enhancing the Nordic model and approach to mediation.

Matching up to demands: New trends in the field and Finnish strategy

Mikael Wigell, Kirsi Joenpolvi and Meeri-Maria Jaarva

The nature of violent political conflicts is changing, which poses new challenges for peace mediation. How should mediation-minded states like Finland adapt their role and approach to peace mediation in order to address these new challenges? These are issues that the Government of Finland needs to carefully assess when considering how to develop its mediation strategy and strengthen its role as a globally relevant and recognised state in conflict resolution. The purpose of this article is to touch upon the changing nature of conflict and, building on that analysis, discuss the strengths and weaknesses of Finland vis-à-vis the new emerging demands in peace mediation, as well as outline options for the Government of Finland when planning its future strategy for strengthening Finland's role as a global actor in peace mediation and peace processes.

The changing nature of conflicts and peace mediation

As has been demonstrated by a growing body of research literature, we are in an era of 'new wars', 'wars of the third kind', 'asymmetric', 'irregular', 'low-intensity' and 'post-modern' conflicts – all labels that highlight the novel character of contemporary conflict.[113] One of the key characteristics of such new wars relates to the role of various kinds of non-governmental actors in sustaining these conflicts. The monopoly on warfare claimed by states has been eroded by the resurgence of extremist movements such as guerrilla and terrorist groups, as well as the increasing presence of local warlords, war entrepreneurs, private militias and criminal groupings that all

[113] For an overview, see M Sheehan, 'The Changing Character of War', in *The Globalization of World Politics: an Introduction to International Relations,* J Baylis, S Smith and P Owens (eds), Oxford University Press, Oxford, 2011.

contribute to the privatisation and commercialisation of violence. Adding to the complexity of contemporary conflict are the often extensive linkages between these non-state actors and governmental structures, as well as developments such as the new social media that may help in sustaining conflict-related networks (e.g. Al-Qaeda, the Arab Spring).

The non-state parties to the conflict are sometimes weakly institutionalised and build their strength on complex network-type structures in which leadership is difficult to identify and the powerbase may shift quickly. States and governments, as parties to the conflict, often cope poorly with these groups and lack mechanisms and strategies for dealing with such non-state or non-structured entities. These new dimensions of contemporary conflict need to be taken into account when planning strategies for how to resolve conflicts and in the resolution work itself.

One must also recognise that the mediation field itself is becoming more complex.[114] While global and regional powers (the United States, Nigeria, France, South Africa etc.) have been active in brokering peace deals, the field has also seen the emergence of smaller and relatively neutral mediator states like Norway and Switzerland. Lately, this group has grown with the likes of Turkey, Qatar, Brazil and Malaysia, to name a few. In addition, intergovernmental groupings, like the United Nations, the Economic Commission for West African States (ECOWAS), or the Southern African Development Community (SADC) have become platforms where governmental efforts to mediate conflicts are being coordinated. To add complexity to the picture, more and more private diplomacy actors such as non-governmental organisations or prominent private persons are engaging in peace mediation. Subsequently, new hybrid and ad-hoc structures linking supranational, governmental and non-governmental actors have emerged that have helped recast traditional approaches to peace mediation in an effort to respond to the changing character of contemporary conflict. It is against this backdrop that any new actor planning on engaging more actively in peace mediation must assess its possible role in this field.

[114] For a discussion, see C Crocker, F O Hampson and P Aall (eds), *Herding Cats: Multiparty Mediation in a Complex Field*, United States Institute of Peace Press, Washington, D.C., 1999.

Recognising the risks for a state mediator

When considering how to turn Finland's Mediation Guidelines[115] into action, it is important to take a realistic look at the risks associated with assuming a greater role in conflict resolution. While there is clear recognition of these risks among the foreign policy leadership in Finland, for the purposes of this article, it is necessary to recap on some of the main points.

According to a comprehensive dataset, less than one-third of mediation attempts are successful at achieving a partial or full settlement.[116] It also needs to be acknowledged that mediation may sometimes have negative consequences for the peace process. It is common for peace processes to result in a form of negative peace, a situation of 'permanent impermanence' in which new grievances are produced.[117] Sometimes negotiated ceasefires can be used to rearm and redeploy troops. An ability to analyse, recognise and avoid the possible negative consequences of mediation is a key characteristic of a professional state mediator, and something that usually comes with experience.

International mediation efforts may also contribute to the legitimisation of armed groups ranging from terrorists to private militias or warlords responsible for atrocities. Resolving conflicts through mediation often requires engagement with such groups at the expense of civilian actors that pursue their grievances through non-violent means. As such, the peace process often ends up rewarding violence and providing recognition to groups with few democratic credentials. It may also carry important demonstration effects for other groups, who may conclude that violence provides the most effective instrument to gain a voice in the process. A reliable state mediator needs to be able to deal with the pressure from domestic and international political constituencies, not least when having to 'recognise' terrorist groups as relevant actors in the mediation process.

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[115] Ministry for Foreign Affairs of Finland, *Peace mediation – Finland's guidelines* (Helsinki: Ministry for Foreign Affairs of Finland, 2010).

[116] J Bercovitch and J Langley, 'The Nature of Dispute and the Effectiveness of International Mediation'. *Journal of Conflict Resolution*, vol. 37, 1993, pp. 670–691.

[117] J Darby and R MacGinty, 'Introduction', in *Contemporary Peacemaking: Conflict, Violence and Peace Processes*, J Darby and R MacGinty (eds), Palgrave Macmillan, London, 2003.

Mediators are also commonly caught between accusations of partiality and inefficiency. Upholding an image of neutrality is almost impossible. Accusations of bias are often part of the negotiating tactic of the parties to the process. In fact, success may even require the mediator to silently accept blame so as to take some of the pressure off the negotiating parties and help them continue with negotiations. For a state mediator, these are situations that may have a negative impact on its reputation and that may have far-reaching repercussions for its activities not only in the mediation field, but also more generally in other areas such as development cooperation.

Finland as a state mediator

Still, after weighing the risks, states, including Finland, increasingly want to take a more active role and contribute to conflict resolution efforts. Indeed, the examples of Norway and Switzerland demonstrate how small states with a good international reputation may play a prominent role in mediation. Scholars have argued that small states can often portray themselves as an impartial third party and be accepted by the parties because of their nonthreatening postures.[118]

As a militarily non-aligned country, with no imperialist past or direct national interests in most conflict areas, Finland may portray itself as an impartial mediator. Clearly, Finland's active commitment to development cooperation and UN-led peacekeeping enhances its legitimacy as a reliable partner in international peace-making. Furthermore, Finland has a number of internationally recognised prominent diplomats who have directly contributed to many peace processes, a legacy that no doubt has been reinforced by President Martti Ahtisaari's Nobel Peace Prize. Finland's good domestic record with gender mainstreaming and political transparency also adds to its international reputation and helps build trust in Finnish mediation. With a view to the rising number of conflicts around the world that are rooted in identity issues, Finland can claim considerable hands-

[118] See for example R M Slim, 'Small-state Mediation in International Relations: the Algerian Mediation of the Iranian Hostage Crisis', in *Mediation in International Relations: Multiple Approaches to Conflict Management*, J Bercovitch and J Z Rubin (eds), St. Martin's, New York, 1992, pp. 206–231.

on experience in resolving inter-cultural differences based, for example, on its multi-lingual institutions.

Yet, one can safely argue that Finland is still lacking both the capacities to implement its strategy as well as a clear role in the actual mediation of conflicts. We would like to argue that, instead of Finland outrightly assuming the role of a traditional, 'neutral' state mediator based on the so-called small country niche, which is often said to be at the core of the Finnish strategy, Finland's identity should build more on novel strategies with which to respond to the changing nature of conflict. There are a couple of reasons behind this argument. First of all, there is a large body of research showing how third-party neutrality may actually work against effective mediation. Sometimes biased mediators possess certain advantages that may be constructively used to mediate conflicts.[119] Biased mediators usually have more leverage over the parties in conflict that can be used to press the parties into making concessions.

Neutral mediators, almost by definition, lack any special relationship with the belligerents in conflict and will thus have no leverage to exercise on either side. Bargaining theory has also shown that biased mediators are better able to credibly reveal information about the other side's reservation points, which enhances the prospect for an agreement.[120] It is also important to note how biased mediators, because of their special relationship with one side of the combatants and their direct stake in the conflict, usually possess a superior understanding and knowledge of the conflict. In fact, what determines the acceptability of a mediator to the adversaries in a conflict is usually not their perceptions of the mediator's impartiality, but whether the mediator is thought to be capable of delivering an

[119] See for example P J Carnevale and S Arad, 'Bias and Impartiality in International Mediation", in *Resolving International Conflicts: the Theory and Practice of Mediation*, Jacob Bercovitch (ed), Boulder: Lynne Rienner, 1996; S Touval and I W Zartman, 'International Mediation in the Post-Cold War Era", in *Turbulent Peace: the Challenges of Managing International Conflict*, C Crocker, F O Hampson and P Aall (eds), United States Institute of Peace Press, Washington, D.C., 2001; I Svensson, 'Who Brings which Peace?: Neutral Versus Biased Mediation and Institutional Peace Arrangements in Civil Wars'. *Journal of Conflict Resolution*, vol. 53, 2009, pp. 446–469.

[120] A Kydd, 'Which Side are You on?: Bias, Credibility, and Mediation', *American Journal of Political Science*, vol. 47, 2003, pp. 597–611.

acceptable outcome, which includes perceptions of mediator leverage and credibility that bias may enhance. As stated in a seminal article: 'Closeness to one party implies the possibility of "delivering" that party and hence can stimulate the other party's cooperativeness'.[121] Secondly, due to Finland's membership in Schengen, some of the practical steps a state mediator must take (e.g. grant access to parties regarded as terrorists) is difficult, if not impossible.

Hence, we argue that Finland should consider alternatives to the traditional role in which a neutral state mediator takes a lead role in mediation processes. Possible alternatives include roles as varied as being an aid in shuttle diplomacy, providing support in creating access to parties, functioning as a technical co-mediator, a friend of the process or a thematic technical expert. Increasingly, mediation efforts take place in a matrix/team structure and the team includes several roles. The question is how to determine a suitable role for a country like Finland in the mediation matrices, taking into consideration the changing nature of conflicts. Below, the authors of this article make one suggestion for a framework through which Finland could further define its future role in mediation.

Network-based mediation as an option for Finland

The recognition of the networked nature of violent political conflict calls into question existing response strategies and how they are able to address the matrix of actors and issues in the resolution efforts of contemporary conflicts. The recognition of an emerging networked logic of mediation offers opportunities for a relatively small power to punch above its own weight. Finland could start developing a fresh approach to international peace mediation that would be based on networks. This, matched with the emerging identity of Finland as a Friend of Mediation, is something Finland should further emphasise and turn into action.

Finland is in a good position to promote network-based mediation. The country has a long tradition of working in close partnership and consultation with non-state actors, civic groups, individuals outside

[121] I W Zartman and S Touval, 'International Mediation: Conflict Resolution and Power Politics'. *Journal of Social Issues*, vol. 41, pp. 27–45.

of the political system, and businesses, not only in domestic matters but also in international development cooperation, for example. Finland could therefore practically demonstrate how a state mediator can comfortably work within and manage these hybrid structures and networks that are emerging between supranational, governmental and non-governmental levels and build on the principles and past experiences in multi-track and cumulative approaches to mediation.

Importantly, Finland could break down and further clarify what it means to be a true friend of ongoing or emerging conflict resolution processes. Active analysis and knowledge of the conflict, matched up by Finland making an active use of its existing channels of influence in multi-governmental fora, should be institutionalised and mainstreamed into the implementation of Finnish foreign policy. Finland should promote early preventive action and multi-track and networked mediation at the UN and EU levels. Hosting Groups of Friends, calling for early action, providing funds rapidly and flexibly and making experts available should be at the core of Finland's action. Based on a thorough knowledge and understanding of the conflicts in question, Finland should seek to gain influence by taking a critical look into a) the timing of mediation efforts; b) the objectives of the process; and c) the styles of mediation, and having these discussed at relevant international decision-making fora. Finland could also position itself as a promoter of long-term commitments to mediation processes, supporting the parties beyond the signature of an agreement, while itself setting an example of such a longer-term commitment. To demonstrate the value of the networked approach to mediation, Finland could take an example from the Government of Finland's flexible cooperation with Finnish and international private diplomacy actors.

What is in it for Finland?

By assuming a networked approach to mediation, it is possible for Finland to mitigate some of the risks of deep involvement in peace processes, while simultaneously using its existing strengths to advocate and support sustainable solutions to contemporary conflicts. But why bother embarking on such a challenging sector which will, no doubt, consume both financial and intellectual resources of the

Government? In the Mediation Guidelines issued by the Ministry for Foreign Affairs, mediation is seen as a way of reinforcing Finland's foreign policy profile and clout in international affairs. Evidently, it relates to the practice of niche diplomacy whereby small powers, being unable to exercise influence across the board, make themselves relevant on the international stage by concentrating on raising their profile in certain key areas. For a small power, mediation may offer such a niche through which it can generate soft power by portraying itself as a humanitarian nation, a force for peace. If successfully portrayed, it provides political currency that may be used in other contexts as well. By engaging in mediation, especially through a networked kind of approach, a small state will also have the opportunity to directly engage with leading powers, build relationships with these and, thus, by extension, raise questions of direct national concern.

The development of the governmental structures of Finnish peace mediation

Heli Kanerva

Recent success stories of the use of mediation by states, regional and sub-regional organisations, as well as civil society, demonstrate its usefulness. Still, despite its known benefits, mediation has received little attention or support to date. There is a need to raise awareness and highlight the increasing importance of mediation in conflict prevention and resolution. How best to do this?

Governments no longer have the traditional monopoly of power. Other actors in civil society, NGOs, the private sector and informal networks share power with them. How do state practitioners cope with this? Here is an example of the Finnish approach to these questions.

In accordance with Finland's peace mediation guidelines published by the Minister for Foreign Affairs in May 2010, Finland is seeking ways to strengthen its role in peace mediation. Finland is reinforcing its domestic peace mediation structures, developing international peace mediation structures together with other actors, and taking part in peace mediation operations. Peace mediation strengthens Finland's input in comprehensive crisis management and prevention of conflicts.

Finland has participated in peace mediation through various actions, of which I will name only a few examples from recent years:

- President Martti Ahtisaari's involvement in the Aceh peace process, as well as the efforts of the CMI to create a rapprochement between parties to the conflict in Iraq.
- As the OSCE's Chairman-in-Office in 2008, Finland mediated the crisis in Georgia.
- Ambassador Antti Turunen's appointment as the UN representative for Georgia, MP Pekka Haavisto's assignment as the Foreign Minister's Special Representative to African crisis areas, and former MP Kimmo Kiljunen's appointment as the Foreign Minister's Special Representative for regional mediation are also indications of Finnish interest in peace mediation.

- Support for mediation is earmarked in the budget allocation for civilian crisis management.
- Examples of support for peace mediation or related activities through development assistance appropriations: The African Union's peace mediation structures, the peace process in Nepal, the Conflict Prevention Network of NGOs in East Timor, conflict prevention in Central Asia, Collaborative Prevention and Crisis management in West Africa, and the UN Peacebuilding Fund.
- And examples of support to NGOs: the International Crisis Group's Africa Programme, and the CMI.

The 2011–2014 Finnish Government Programme states that 'development cooperation funds could be increased to advance comprehensive security in regions in which Finland supports peace mediation, peacekeeping or crisis management missions'. Moreover, the Government Programme states: '[a]n action plan on peace mediation will be prepared to strengthen Finnish capabilities and participation, taking account of opportunities for the flexible use of resources through the establishment of a stabilisation fund'. After coming under review by the ministry and civil society, the Action Plan was published in December 2011.

Through the Action Plan, Finland is seeking ways to strengthen its role in peace mediation. The Finnish Mediation Action Plan consists of five parts: Development of international mediation capacities; Development of Finnish mediation capacities; Finnish participation in international mediation; Thematic and regional priorities; and Financing.

On the international scene, Finland has a long-standing commitment to effective multilateralism. As the UN has a central role in Finnish foreign policy, it is natural that we also place a great deal of trust in the UN in the field of mediation. The idea to advance the use of the UN mediation capabilities was co-initiated by the Foreign Ministers of Finland and Turkey during the meeting 'Increase the Peace through Mediation' held on 24 September 2010 in the margins of the UNGA high-level week. Hence, the Friends of Mediation was established to advance the use of mediation to resolve and prevent conflicts.

The Friends of Mediation Group plays an important role in raising awareness about the need for and the utility of mediation. The group supports the cooperation between different actors, such as states, international bodies and civil society organisations. The aim of the group is to develop and raise awareness of international mediation, especially in the UN and among regional organisations. The members of the group share experiences, knowledge and good practices. The group pays particular attention to the mediation potential of the UN as well as the role of preventive action in conflict resolution. The group has a broad geographical scope – 23 countries (in addition to the chairs, Finland and Turkey) and eight organisations are currently members. Apart from Finland and Turkey, the member nations are: Bangladesh, Belgium, Brazil, Burkina Faso, Costa Rica, Germany, Indonesia, Ireland, Japan, Malaysia, Mexico, Morocco, Norway, the Philippines, Qatar, Romania, Slovenia, South Africa, Spain, Sweden, Switzerland, Tanzania and Uganda. The organisations are: the African Union, the Organisation of American States, the League of Arab States, ASEAN, the EU, the OSCE, the Organisation of Islamic Cooperation, the UN Department of Political Affairs and its Mediation Support Unit.

Through the efforts of the Friends Group, the UNGA unanimously approved a resolution strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution (A/RES/65/283), presented by Finland and Turkey in New York on 22 June 2011. This is the first resolution on mediation adopted by the UNGA. The resolution consolidates the international community's mutual understanding concerning the importance of mediation in conflict prevention and resolution. The Secretary-General will report to the UNGA on mediation issues. There is a strong common sentiment that the resolution will be a useful tool to highlight the increasing importance of mediation in conflict prevention and crisis management, as well as in seeking further support for the development of mediation. The resolution has received a lot of attention and was praised in the Secretary General's report 'Preventive Diplomacy – Delivering Results'.

Furthermore, the Friends of Mediation gathered in New York on 20 September 2011 at the second ministerial meeting jointly hosted by Foreign Minister Erkki Tuomioja and Foreign Minister Ahmet Davutoğlu of Turkey. Future efforts by the group will focus

in particular on better utilisation of the know-how and experiences of civil society and regional organisations and on increasing the role of women mediators and women's participation in peace processes. Finland will continue to play an active role in the development of the activities of the Friends of Mediation Group. Mediation also attracts widespread international attention because Qatar, the chair of the 66th Session of the UNGA, raised mediation as one of the main themes of the session.

Finland is actively participating in the further advancement of the EU's ability in mediation and is playing an active part in the EU debate concerning the development of peace mediation, such as the strengthening of the 2009 EU Concept on Mediation and Dialogue. The institutional opportunities opened up by the Lisbon Treaty have given fresh impetus to the Union's mediation capacity. The EU has added value as a global mediator due to its wide range of foreign policy tools (political, diplomatic, economic and military), its global presence through EU delegations, its financial and political weight and its credibility as a value-based actor. The EU's mediation activities range from political and financial support to actual mediation activities. We want to further advance the EU's ability in mediation. There is a joint Swedish and Finnish initiative to consider establishing a European Institute of Peace, which would be an independent institution that would engage in Track II mediation and gather and disseminate best practices.

Nordic cooperation will also remain a cornerstone of Finland's mediation programme. Moreover, Finland will do its utmost to find measures to improve cooperation in the field of peace mediation with other regional organisations such as the African Union, the OSCE and ASEAN.

At the national level Finland will continue to build on the experience that it already has. The Ministry for Foreign Affairs and its representations abroad play a key role in building up our institutional memory. The Ministry for Foreign Affairs also has a Special Representative for Mediation and UNSC resolution 1325. For Finland, it is particularly essential that the role of women in peace processes and mediation activities is enforced.

Training plays an important role in mediation. Therefore, more advanced mediation-related modules will be included in the training of Finnish civilian crisis management experts and in the Finnish

diplomatic training. The Ministry for Foreign Affairs will also continue making use of external training programmes. In this respect, the promotion of mediation-related research is also essential.

When it comes to recruitment, training and career development, mediation experience and expertise will be recognised as an asset. Finland will also continue to second our experts to various international mediation-related positions.

The information exchange between the different ministerial departments, as well as with civil society organisations, needs to be continued. Efforts to prevent or resolve conflicts require new instruments. Non-governmental expertise in the field of conflict prevention must be used. We need to develop close links with relevant NGOs as well as with the academic community. Civil society must be involved in mediation, ranging from grass-roots movements to specialised organisations that support high-level negotiations, in order to ensure genuine multi-track mediation activities. Cooperation with civil society is a cornerstone of the Finnish engagement in peace mediation, and we have a long tradition of involving civil society actors. We want to improve and increase information sharing, cooperation and coordination between all involved actors as well as increase the coherence and complementarity of mediation activities. In cooperation with civil society actors, we want to be practical and communicative by promoting the widest possible interaction and dialogue. Therefore the ministry will assemble a Mediation Support Network that identifies mediation contact persons in all relevant national organisations.

As mentioned above, the role of women in peace processes, and notably mediation, continues to be one of Finland's main priorities, in accordance with UN Security Council resolution 1325. Improving the role of women remains a cross-cutting theme in all of Finland's mediation and research activities. In addition to this, Finland also has other thematic and regional priorities. Finland will provide mediation services and expertise in fields in which it can demonstrate added value. Such fields could include human rights, democracy and Rule of Law, as well as questions concerning women, peace and security and the environment. It is also necessary to focus on certain regional questions in order to better target Finland's mediation efforts.

Mediation is important in resolving conflicts as well as in deterring new ones. Mediation is one of Finland's main priorities on the

international scene. It is rooted in extensive experience and expertise in the field, both at the highest political level, and at the grass-roots level. Finland aims at developing international mediation structures together with other actors. The renewed international interest in peace mediation and Finnish expertise must be brought together. By making the most of this window of opportunity, Finland will participate in the resolution of international conflicts by relying on its history and expertise. This will require consistency and commitment as well as resources. The mediation Action Plan will be one tool in Finnish activities to promote peace mediation.

The way ahead: Recommendations for the development of Finnish peace mediation capacities[122]

Ari Kerkkänen

The appointment of Dr. Kimmo Kiljunen as the Special Representative of the Foreign Minister of Finland to regional peace-mediation tasks at the end of October 2011 was a step in the right direction in enhancing Finland's preparedness in peace mediation. The previous government of Finland initiated a stronger emphasis on mediation. The present government is equally committed to this objective. The Nobel Peace Prize awarded to the former Finnish President Martti Ahtisaari in 2008 paved the way for Finland to make more systematic inroads in the field of mediation, for it showed that even a small and a far-away state, or the Finns as individuals, can make a distinct contribution to international peacebuilding and mediation.

It has been reiterated, and rightly so, that mediation is not a matter of policy declarations. This also applies to Finland, irrespective of the proven track record of a few prominent Finnish individuals, mainly politicians, in mediation. Pekka Haavisto, Harri Holkeri, Kimmo Kiljunen and Elisabeth Rehn, to name a few, have made their contribution to peacebuilding and mediation in addition to President Ahtisaari. Finnish NGO and civil society activists have also contributed to peacebuilding. The Parliament of East Timor awarded Kalle Sysikaski the 'Princess Grace of Monaco' medal for his peace-supporting activities in East Timor in 2010.

The objective of this article is to make some practical recommendations on developing Finland's mediation capacity. I start with a few arguments, which eventually lead into policy and practice recommendations. The first argument is that the national mediation capacity development must be based on a holistic view of peace

[122] This article is partly based on my presentation in the peace mediation panel discussion at the European Peace Research Association (EUPRA) annual conference in Tampere on 21 July 2011, organised by the Finnish Institute of International Affairs, as well as a background paper 'Suomen rauhanvälitysvalmiuden rakentaminen' published in Finnish by Saferglobe Finland in 2011.

mediation. This concerns not only the understanding of mediation *per se*, but also, and above all, its interface with the peacebuilding, peacekeeping and crisis management activities Finland is engaged in.

The second argument is that national capacities do not emerge without systematically building them. Strategies are needed, and there are indeed a number of relevant and recently drafted strategies which touch upon national capacities in closely related fields. They are the National Strategy on Civilian Crisis Management (2008) and the Comprehensive Crisis Management Strategy (2009). As usual, they will remain just paper tigers and wishful thinking unless there are action plans in place and means for their implementation.

The third argument is that before starting to develop the required capacities, a thorough analysis of the specific needs and means of Finnish mediation must be undertaken. This has not been done thus far. It is quite impossible to develop national capacities without a full-fledged needs and means assessment. The capacity development ultimately requires resources and funding. Therefore, they should be tailored to meet the national objectives in mediation.

What is Finland's role in mediation and how does it relate to overlapping national activities like peacekeeping and civilian crisis management, as well as a number of development aid activities? How does Finland define mediation; or does it need to be defined? The question must also be raised as to where Finland's mediation niche lies, if indeed such a niche exists.

I also argue that many required elements already exist in Finland, but in the case of mediation capacity the development of these existing bits and pieces must be put together as a mediation capacity development network. In addition, despite being a government-led process, national mediation capacities cannot be developed without the active engagement of NGO partners and civil society.

The article is divided into two parts. The first deals with foundational aspects and the second with instrumental aspects of national mediation development. These are preceded by an introductory chapter on the importance of a holistic approach to mediation capacity development.

A holistic approach as the foundation for developing national peace mediation capacity

A degree of national consensus must be achieved on the definition of mediation before any systematic national capacity development can be launched. Definitions related to activities like peace negotiation and peace facilitation in addition to mediation indicate that the boundaries between these activities are blurred. This reflects reality. Activities in conflict resolution settings differ and are multiple. This reflects conflict complexity. By the nature of things, this is a warning against developing anything on the basis of narrow definitions. The latter would result in a mediation capacity development on the basis of partisanship definitions. In the end, definitions themselves as interpretations serve to guide our thoughts and actions, but the importance lies in what we implement and deliver. Finland has solid experience in building national capacities for peacekeeping and civilian crisis management. These capacities have been developed and are continuously being developed on the basis of needs assessment.[123] And as stated above, the end use of mediation varies greatly depending on the particular conflict and situation. This supports the idea of developing national capacities premised on a holistic approach to mediation.

Wars, violence, conflicts and disputes are unwanted necessities for mediation to take place. Resolving conflicts and building peace commonly requires a large number of peacebuilding actors and stakeholders. It is logical, therefore, that mediation as such cannot be isolated but constitutes an integral part of other activities seeking conflict resolution. In order to be successful, it needs to be coordinated with peacekeeping, and conflict and crisis management activities, and it must take into account the basic premises of any conflict resolution by gaining the genuine support of all levels of the society in conflict. Otherwise conflict resolution lacks both legitimacy and sustainability. This may explain the fact that approximately half of all resolved conflicts tend to reignite. Carl G. Jacobsen and Kai Frithjof Brand-Jacobsen point out that even the best peace agreement

[123] I would like to thank CMC Finland Head of Training Petteri Taitto for bringing the importance of needs and means assessment in national capacity development to my attention.

is insufficient to guarantee a good peace process unless it is based on the widespread support and involvement of a large number of people at every level of society.[124]

Moreover, Jacobsen and Brand-Jacobsen state that a failure to develop creative and viable approaches to conflict transformation involving the participation of a large number of actors at a variety of social levels is the product of conflict illiteracy and is essentially a war culture-driven approach to conflict resolution. Promoting approaches to conflict resolution focusing only on top-level leaders without addressing the underlying structures and causes of the conflict not only fails in bringing peace, but also often lays the foundations for the renewal of wars.[125] In the end, only the parties to the conflict with legitimacy given by society, not mediators or negotiators, can make sustainable peace agreements.

These are the lessons learnt from Afghanistan during the last decade and from the protracted Israeli-Palestinian conflict in the Middle East. Mediation requires a holistic approach in order to achieve sustainable results with legitimacy at all levels of society. Although mediation as such is only a vehicle for achieving objectives, namely conflict resolution and peace, it cannot be successfully performed if it does not take into account the underlying conditions that cause conflicts. If there is no remedy for these conditions with the conflict resolution, as achieved through mediation, sustainability will suffer. Often these underlying conditions can be identified within the parameters of human security. The principles of human security, both in its wider and narrower interpretation, assist in identifying holistically conflict-causing factors.[126] In fact, a lack of human security goes some way towards explaining the Arab Spring of 2011.

To this end, mediation cannot be separated from other activities and actors working towards the same aims, be they peacekeepers,

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[124] C G Jacobsen and K F Brand-Jacobsen: 'Beyond Mediation: Towards More Holistic Approaches to Peace-building and Peace Actor Empowerment', in *Searching for Peace. The Road to Transcend*, J Galtung, C G Jacobsen and K F Brand-Jacobsen, Pluto Press in association with Transcend, New Edition 2002, p. 75.

[125] Ibid. p. 74.

[126] A useful and practical introduction to Human Security is published by CMC Finland: Korhonen, Senja (ed.): *Training Manual: the Human Security in Peacebuilding*: Crisis Management Centre Finland, 2009.

professionals in civilian crisis management missions, civil societies and NGOs, or development aid programmes. Usually the same activities are being carried out under different 'banners' like confidence-building, security sector reforms, human rights or good governance. But above all, mediation cannot be separated from local partners and society, the real stakeholders in peacebuilding. Therefore I recommend that national capacity development should be based on the holistic approach to mediation.

Foundations for national peace mediation capacity development

International participation as a foundation

The key to strengthening national capacity in mediation lies in Finland's strong international participation. Finland has a long and recognised history in UN peacekeeping, and during the last decade the country has been one of the forerunners of capacity-building and participation in the EU's civilian crisis management missions. International participation is paramount for building a solid foundation for national mediation capacities. It is only through a long-term policy of seconding Finnish personnel to UN, EU and OSCE missions that a pool of potentially capable and suitable mediators can be established. The seconded EU experts, about 150 annually from Finland, work most of the time within the respective society, interacting closely with the local population at the grass-roots level. Their everyday work is based on continuous dialogue, communication, mentoring, monitoring and the sharing of professional experience. Theirs is a grass-roots-level contribution to conflict resolution and mediation. This is something that Finland already has in place.

Strong international peacebuilding participation distinguishes Finland as a state that is willing and capable of investing in peace, and leads to invitations to take part in mediation activities, contributing directly to Finland's wish to gain a stronger role in mediation as a whole.

Training and a stand-by capacity

There is no need to build an independent training institution or programmes for mediation in Finland. The existing training capacity for Finnish civilian peacekeeping and civilian crisis management professionals provided by the Crisis Management Centre (CMC) Finland[127] caters for training in mediation expertise and can easily be tailored to meet any requirements that may be lacking. It is feasible to add basic modules on mediation as part of the CMC Finland civilian crisis management training programmes in addition to those relevant courses that are already a part of their curricula.

CMC Finland's existing civilian crisis management core course, planned on the basis of the common EU concept curriculum, includes subjects and topics directly relevant to any mediation training.[128]

CMC Finland also provides training options with some relevant specialisation courses. These courses concentrate on Security Sector Reform, Integrated Crisis Management and Human Security and Gender. CMC Finland draws resources and expertise from a wide European network of training institutions, thus keeping abreast of any development in the training field.

But perhaps the most important consideration is that the CMC runs highly developed *Grayzone* scenario-based field exercises. These provide an excellent setting for simulating mediation cases as part of an overall exercise. In addition to the existing modules in the scenario exercise, it would be relatively easy to add mediation modules to the overall exercise conflict setting.

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[127] www.cmcfinland.fi

[128] Aims and key objectives as set out in the curriculum include the following: the ability to analyse the causes and consequences of, and relevant actors in, a conflict; an understanding of the central processes the international community is facilitating, namely promoting respect for human rights, the rule of law and facilitating the democratisation process; the skills to conduct effective monitoring, resulting in a relevant internal mission report, as well as the skill to mentor, resulting in the long-term capacity-building of the local society; increased knowledge of the different actors in the field and their inter-linkage in the above-mentioned processes and the promotion of good interpersonal skills with people from different national, cultural and professional backgrounds. In addition, the training's cross-cutting themes are relevant such as human rights, democratisation and good governance, human security, monitoring, mentoring and advising, as well as reporting. EU Concept Core Course Module Knowledge, 11–15 April 2011 Curriculum.

Research

Research forms a part of the foundational capacity. The research provides guidance on many aspects of national capacity development and methods. Past mediations provide ample material for conducting analytical and practice-oriented research. The research subjects and areas range from assessing and analysing mediation traditions, models and practices, and mediation training to studies into different conflicts from the prism of mediation requirements. Finland has a good network of existing institutions, which can establish a full-fledged mediation research programme in co-operation with international research partners. Ideally, the Tampere Peace Research Institute (TAPRI), thanks to their long history as a peace research institution in Finland, would lead the programme. The Finnish Institute for International Affairs (FIIA) would be TAPRI's lead partner with contributions from a network consisting of CMC Finland, the Crisis Management Initiative (CMI), Saferglobe Finland and the Civil Society Conflict Prevention Network (KATU). One of Finland's assets in the long run could be a tangible investment in mediation research as part of mediation capacity development. The first research task for a research consortium would be a needs and means assessment of the national mediation capacity development.

Funding

It goes without saying that national mediation capacities cannot be developed without funding and the new Government Programme stipulates the establishment of a Stabilisation Fund. To make it operational, the present civilian crisis management budget line can be utilised as a core of the Stabilisation Fund by uniting the currently separated budget lines of national capacity building and operations under the MFA. This would create a much needed harmony and unity for all activities related to peacebuilding, including national capacity development and operations as well as activities in civilian crisis management, civilian peacekeeping, peacebuilding, mediation and development projects supporting peace and security. The MFA would divide the Stabilisation Fund into vertical budget lines of training, facilitation, research, and operations/secondments as well as projects. External funding would be sought to strengthen the research consortium applications.

Instruments of national peacebuilding capacities

International participation in peacebuilding and civilian crisis management mission participation

International peacebuilding participation is the most important instrument that Finland contributes to mediation. This participation takes place within the UN, EU, OSCE and other international organisations. It is both an indirect (and sometimes direct) contribution to mediation efforts through the work of various professions engaged in by the Finnish experts in missions (confidence-building, strengthening the rule of law, human rights monitoring and advisory tasks), and a direct way of assembling a professional pool from which mediation expertise and professionals can be drawn in the long run.

Facilitation

One practical instrument, of which Finland and Finnish NGOs like the CMI have experience, is the facilitation of mediations or behind-the-scenes meetings in Finland. One of Finland's *niches* in mediation is its northern geographical location, which provides remote and peaceful retreats in a setting conducive to confidential mediation meetings, seminars and workshops. These locations are ideal for bringing conflicting parties together to discuss conflict resolution. A few suitable retreats could be identified and prepared for facilitation and Finland could actively advocate existing facilities. This would require the training of a technical facilitation team as well as agreed upon contingency plans with those government services in Finland whose assistance would be required in ensuring all practicalities were taken care of.

Individual peace mediators

Individual mediators cannot be named in advance. Potentially suitable candidates may be identified, but there is no certainty that a person appointed to a pool of mediators will eventually be assigned to a task. As the holistic approach stipulates, mediators are ideally invited by the conflicting parties. Mediators cannot be imposed from above. Therefore, it is not so much a case of a country selecting mediators, but rather being available to respond to invitations, and a solid national capacity foundation must exist with personnel who

have the proper training and conflict working experience. They are not necessarily diplomats. In order to give diplomats the appropriate background experience for mediation tasks, a number of them must be offered civilian crisis management training and appointments as part of their tenure track. The main objective, in any case, should not be to try to single out potential top mediation candidates. The holistic approach may not guarantee Finland rapid returns, but it provides more sustainability.

It would be ideal to consider some of today's civilian crisis management professionals as potential future actors in mediation. Therefore the civilian crisis management training and field experience should be regarded as part of the national mediation capacity development.

Conclusions and the way ahead

Finland has, of late, expressed its wish to become a more significant actor in mediation. All efforts to strengthen and contribute to international peacebuilding are welcome. The objective is a noble one. At the same time, however, it is important to acknowledge that there are no specific reasons, expertise or assets which would make Finland any better placed to conduct mediation than any other state, unless the country starts to vigorously develop its national mediation capacities. Finland's niche could be its well-developed national mediation capacity, from which resources could be drawn in the years to come.

Outlined above are some foundational and instrumental aspects of national capacity development for mediation. They are based on holistic thinking about mediation, which widens the understanding of national support for mediation from mere elitist and upper-level mediation processes to activities encompassing all levels of a society in conflict. Therefore it should be understood that a wide array of activities in which Finland is currently playing an active role are already part of Finland's mediation contribution.

We already have many organisations and institutions in Finland that can be utilised in developing national mediation capacity. Overall national capacity-building guidance and supervision must

remain, not only for reasons of coherence but also due to the fact that mediation in its final incarnation as conflict resolution is a political process. The MFA should supervise training clusters led by Crisis Management Centre Finland in partnership with the Civil Society Conflict Prevention Network (KATU) and the CMI, as well as research led by the Tampere Peace Research Institute in partnership with the Finnish Institute for Foreign Affairs (FIIA), Crisis Management Centre Finland, the CMI as well as NGO think tanks like Saferglobe Finland. An active advisor from the Finnish Church Aid would be sought both for training and research activities.

The MFA must establish a Peace Mediation Secretariat or Unit, which supervises both training and research activities and is directly in charge of operative facilitation aspects and of a peacebuilding budget. The Secretariat's first task would be to draft an action plan on the implementation of national mediation capacity-building together with all the above-mentioned partners.

What matters in the end is the peace itself. Finland, or any other facilitating state or organisation, cannot take the credit for achieving peace. Mediation can neither be a matter of a country brand nor a business enterprise. If it were so, the main cause would be missed and it would only speak for self-serving national or organisational interests, and not for the peace itself. The credit is always solemnly due to those who make the peace.

Conclusions

Ville Brummer and Touko Piiparinen

The articles in this report draw a picture of a very diverse field of global peace mediation. Specifically, they describe a continuously changing system of different institutions, mechanisms, methods and processes; a transformation which is taking place from state-centric conflicts and conflict resolution policies towards a global society that can best be characterized as a multitude of actors and activities where no single authority can dominate the whole scene alone.

Based on the contributions to this volume, we can identify at least the following remarks and recommendations in support of the development of mediation policies both in Finland and more broadly:

General conclusions

1. **Implications of the changing nature of conflicts for mediation:** Conflicts do not follow state borders or the mandates of existing institutions. On the one hand, today's conflicts increasingly have regional and international dimensions and tend to spread across borders. One apposite example of these conflict systems is the Middle East conflict, where one can identify dozens of axes of tensions at international and regional levels. On the other hand, conflicts are also increasingly intra-state, involving not only official actors but also non-state groups. For example, in Somalia the fragmentation of society into various sub-state actors makes it very difficult to even start a peace process that would be comprehensive enough to include all the parties in the process.
2. As conflicts are becoming more and more diverse, this means that third-party interventions of mediation should also be adapted to respond to new demands. In general, this has led to a situation in which responses must be consistent with the multitude of actors and processes. In order to adapt to this situation, the international community must apply the **network model of mediation**, where the UN, regional organisations, individual states, and NGOs can flexibly take different roles in different

phases of the peace process and provide necessary support for parties to solve the conflict peacefully.

3. Each conflict situation is unique, and, correspondingly, each mediation network aimed at tackling the conflict is unique. Thus, when analyzing Finland's future role in the field of global peace mediation, we should not limit our attention to exploring thematic and geographical priority areas. The strategy should also tackle the question of **how to contribute to global and local mediation networks**, so that different networks could maximize the utilisation of available resources for the use of conflict parties. This shift in focus – from a solution to a process, and again from a process to a networked process – may open up new avenues for resolving conflicts. This, in turn, seems to bring the process closer to the origins of mediation and brings to the fore the crucial tasks of identifying creative and even unconventional ways to solve the conflicts, where traditional measures have already shown their limits.

Implications and recommendations for Finland

1. Finland should actively seize and utilize the emerging opportunities for developing mediation, including those enabled by the envisaged non-permanent seat on the UN Security Council in 2013–2014. In practice, these initiatives could include the organisation of informal interactive dialogue on mediation in the Council and the drafting of a Security Council resolution on mediation.
2. Finland should actively promote the comprehensive approach to mediation, emphasizing the utilisation of mediation as a method throughout the conflict cycle, including conflict prevention, resolution and post-conflict peace-building.
3. Finland should nurture and apply the network logic in the development of mediation policies, and actively look for creative and unconventional forms of co-operation with other states, regional organisations, research institutions and university departments, and private diplomacy actors.

4. Prefixed normative or ideological frameworks, for example the risk assessment of the envisaged short-term 'success' of mediation for a country's image in resolving any particular conflict, should not compromise Finland's activity and capabilities to forge relations and launch operations in situations which require mediation. Finland should courageously initiate and participate in mediation efforts, even in those conflicts which are seemingly 'intractable' and which entail only a slight prospect of short-term success.

5. Finland should pay more attention to the capacity-building of global networks of mediation. This report could form a conceptual and empirical basis for a more systematic mapping exercise of global mediation networks. Based on that exercise, a wider process (similar to the Helsinki process, for example) entitled 'Glocal Peacemaker' could be launched, aimed at examining the global-local interface in mediation and involving Finland's key partners in the global South, cooperation structures between official and unofficial partners, governments and non-government organisations, stock-taking and brainstorming events and roundtables on best practices of different modes of mediation. This process could be associated with the activities of the Friends of Mediation group in the UN as well as the Mediation Support Unit of the UN, and it could provide insights into Finland's envisaged further initiatives on mediation in the UN.

6. In addition to nurturing relations with traditional partners, notably the Nordic countries, Finland should forge new cooperation arrangements with actors and governments of the global South.

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Global networks of mediation

Prospects and avenues for Finland as a peacemaker

Touko Piiparinen and Ville Brummer (eds.)

This report analyses the evolving field of global peace mediation and examine different institutional solutions, cooperation mechanisms and modes of action which Finland could adopt to perform successful mediation and to develop its mediation capacities.

Today's peace mediation involves a greater number and diversity of actors than ever before. States can no longer function as unitary actors, utilising governmental resources and official structures alone. Rather, states are embedded in global networks of regional and non-governmental actors such as local civil society actors and private diplomacy organisations, which they have to rely on in implementing mediation and negotiation processes. Therefore, the interface between official and unofficial sectors is becoming an ever more timely research object in the study of mediation.

The present report will first aim to clarify the conceptual and theoretical framework of global networks of mediation and analyse their operations and structures. Upon that basis, the report will proceed to examine different approaches of states in mediation, their linkages to other actors and particularly Finland's prospects as a peacemaker.

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