

# Mapping Mediators

A comparison of third parties  
and implications for Switzerland

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# Table of Contents

<b>SUMMARY .....</b>	<b>5</b>
<b>INTRODUCTION.....</b>	<b>7</b>
<b>ANALYTICAL FRAMEWORK.....</b>	<b>9</b>
WHY ARE MEDIATORS ENGAGED? .....	9
WHERE ARE MEDIATORS ENGAGED? .....	10
HOW DO MEDIATORS BECOME ENGAGED? .....	10
<b>RECENT DEVELOPMENTS WITHIN CONFLICTS AND MEDIATION PROCESSES .....</b>	<b>13</b>
CONTEXT FACTORS.....	13
PROXIMATE FACTORS .....	14
<b>PROVIDING MEDIATION: COMPARISON OF THIRD PARTIES.....</b>	<b>17</b>
QUANTITATIVE OVERVIEW .....	17
THE MEDIATION ACTORS' PROFILES .....	18
<i>The United Nations.....</i>	<i>18</i>
<i>Inter-governmental organizations.....</i>	<i>20</i>
<i>States.....</i>	<i>21</i>
<i>Non-governmental organizations .....</i>	<i>22</i>
<i>High-profile individuals.....</i>	<i>23</i>
<i>Local mediators .....</i>	<i>23</i>
COMPARISON OF ACTORS.....	23
<i>Why do different types of mediation actors mediate?.....</i>	<i>23</i>
<i>Where do different types of mediation actors mediate?.....</i>	<i>24</i>
<i>How do different types of mediation actors mediate?.....</i>	<i>25</i>
<b>IMPLICATIONS FOR SWITZERLAND.....</b>	<b>29</b>
INTEREST IN AND MOTIVATION FOR MEDIATION INVOLVEMENT .....	29
TYPES OF CONFLICTS AND GEOGRAPHIC FOCUS .....	30
HOW SHOULD SWITZERLAND BECOME INVOLVED?.....	31
<i>Switzerland is a small state and needs to cooperate with other entities.....</i>	<i>31</i>
<i>Switzerland combines topical expertise with process know-how.....</i>	<i>32</i>
<i>Switzerland is 'non-aligned' and talks to all actors .....</i>	<i>33</i>
<i>Switzerland is a democratic state with a durable and consensus-oriented decisionmaking process.....</i>	<i>33</i>
<b>CONCLUSIONS .....</b>	<b>34</b>
ANNEX 1: LIST OF ENGAGEMENTS BY THE 16 MOST FREQUENTLY INVOLVED STATES (FIGURE NO. 3) .....	35



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## Summary

The aim of this article is to examine various types of mediators (UN, inter-governmental organizations, states, NGOs, individuals) in relation to the needs of today's complex peace processes. We examine where mediators become engaged (e.g., close or far from home, what type of conflict), how they engage (e.g., degree of impartiality, leverage, sustainability, knowledge, humility, credibility, flexibility) and why they engage (e.g., value-based or interest-based, or both).

Some general developments are outlined in order to clarify the context: There are indications of an overall decrease in armed conflict since the end of the Cold War, but also signs of an increase in complexity in some of the conflicts mediators face today. The regionalization of conflicts also seems to have made some conflicts harder to resolve (e.g., Darfur). This means that peace mediation has become highly complex, requiring various mediators to perform different roles and functions, both simultaneously and in different phases of a peace process (pre-negotiations, negotiations, and implementation). To be effective, greater clarity about the different mediation roles and comparative advantages of various mediation actors is needed. Better coordination efforts between mediators are also essential.

Surprisingly, a quantitative overview of third-party interventions, based on the Uppsala UCDP database, indicates a decrease in the number of mediating actors over the last 18 years. States still remain the single most important type of mediator. They are followed by the UN and inter-governmental organizations. NGOs and individuals alone rarely assume a lead role, but may provide useful mediation support services.

The UN generally becomes involved in highly protracted conflicts and has a value basis for its engagement based in its charter, but may also be influenced by the respective national interests of member states. The same is true for inter-governmental organizations, in particular region-

al ones, due to their proximity to the conflict they work on. A mediation actor's interest in a conflict is not problematic, as long as it does not jeopardize impartiality and the desire to shape the outcome of the peace process. States become involved in order to maintain peace and stability regionally or globally, but also to contribute to global burden-sharing and thereby to increase their soft power and influence. Small states have less leverage, their comparative advantage lies in their impartiality and potentially their professionalism (e.g., topical and process expertise). By co-mediating with a more powerful state, small states can often compensate for their limited leverage. NGOs are fast and flexible, but due to their weakness, they seem more suited to working in the pre-negotiation phase or supporting negotiations and implementation than taking on any lead role during these phases. The actors may also be differentiated in terms of their closeness to the conflict. So-called "local mediators" may possess a deeper understanding of the context and relations with the conflict parties. However, they are often also seen as partisan and therefore may even be threatened by one side or the other.

In a nutshell, today's mediation processes are complex and require a variety of changing roles, skills, and resources. Therefore, different actors are called upon to contribute to them based on their comparative advantages. Small states like Switzerland have some unique comparative advantages in the field of mediation, such as the qualities of being non-threatening, impartial, and flexible, while at the same time having a great deal of legitimacy and sustainability. Interests and values can converge as motivations for mediation if a long-term outlook is adopted. Based on these comparative advantages, Switzerland, and other similar small states, needs to situate itself within the community of mediating entities, identify appropriate fields for action, and define and communicate its mediation policy accordingly.

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# Introduction

There are a variety of states and organizations that have recognized the effectiveness of mediation as well as its utility as a foreign-policy tool to further national interests and institutional goals. Although the complexity of contemporary mediation processes and the need for multi-actor approaches is widely acknowledged, there have been only few attempts to compare the various actors and determine their possible roles within a mediation process.<sup>1</sup>

This article aims to contribute to fill this gap. The guiding question is: Which type of third party can fulfill which kind of role in a mediation process? In order to answer this question, we first explore roles that frequently arise in contemporary mediation processes. The various types of third parties are grouped into the UN, inter-governmental organizations (IGOs), states, non-governmental organizations (NGOs), local mediators, and personalities.

The analysis of actors providing mediation is structured around three guiding questions:

- Where and what: Which types of mediators are engaged in which types of conflicts?
- Why: What is their rationale for getting engaged?
- How: What is their style of mediation?

We apply this analytical framework to a comparison of mediators. Besides our rather simply clus-

tering of mediators, it is worth noting that there are formal and informal mediators, as well as those who work in or close to their own conflicts (local or insider mediators) and mediators whose background is entirely different from the conflict context.

The main argument in this article is that contemporary mediation processes are complex and require a variety of changing roles, skills, and resources. Therefore, various actors are called upon to contribute based on their comparative advantages. Switzerland needs to situate itself within the community of mediating entities, identify appropriate fields for action, and define and communicate its mediation policy accordingly. The added value of the article is to provide a basis for Swiss mediation policy by mapping the realities of peace processes and the comparative advantages of different mediation actors, rather than being driven by Swiss domestic considerations. Although domestic arguments are important, they should not be the only factor deciding whether and how a mediator becomes engaged.

Before tackling matters of substance, some terms need to be defined. We define mediation as assisted negotiations, where actors in a conflict are supported by an impartial third party in their decisionmaking<sup>2</sup> and conflict transformation process.<sup>3</sup> Unlike dialog facilitation, mediation ex-

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<sup>1</sup> Examples are: Whitfield, Theresa. *External Actors in mediation: Dilemmas and options for mediators*, Mediation Practice Series. Geneva: Centre for Humanitarian Dialogue, February 2010; Moon, Ban Ki. *Report of the Secretary General on enhancing mediation and its Support Activities*. United Nations Security Council Report S/2009/189, 2009. McCartney, Clem. *Dilemmas of third-party involvement in peace processes*. London: Conciliation Resources, 2006. Bercovitch, Jacob/Gartner, Scott Sigmund. *Is There Method in the Madness of Mediation? Some Lessons for Mediators from Quantitative Studies of Mediation*. In: *International Interactions* 32, No. 4, 2006, pp. 329–354.

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<sup>2</sup> See for instance Zartman, I. William/Touval, Saadia. *International Mediation*. In: Crocker, Chester A./Hampson, Fen Osler/Aall Pamela (eds.) *Leashing the Dogs of War: Conflict Management in a Divided World*. Washington D.C.: United States Institute of Peace, 2007, pp. 437–454.

<sup>3</sup> Mediation may be defined as follows: “A process of conflict management where disputants seek the assistance of, or accept an offer of help from an individual, group, state, or organization to settle their conflict or resolve their differences without resorting to physical force or invoking the authority of the law.” Bercovitch, Jacob/Anagnoson, J. Theodore/Wille, Donnette L. *Some Conceptual Issues and Empirical Trends in the Study of*

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tends a more structured support to negotiators. Rather than thinking in terms of right and wrong, mediation seeks to take all the various perspectives into consideration. The guiding principle is that “everyone can be part of the solution”,<sup>4</sup> even if they initially seem to be potential spoilers of peace. Mediation gives more autonomy and freedom to actors in a conflict than many other tools of conflict management, e.g., legal or military approaches to conflict management.

To varying degrees, all peace processes involve all levels of society. While this paper focuses on track 1 (contacts between elites of the parties in a conflict), the complementary tracks 2 (contacts between influential, but non-official actors) and 3 (contacts between grassroots actors) are essential for peace to be legitimate and sustainable.<sup>5</sup> This concept of multi-track diplomacy or mediation was developed during the Cold War, based on the realization that too much effort was being invested in the track 1 level, while changes at all levels of society were needed to sustain and feed the track 1 level. Indeed, the track 1 level may not be the most important one, and often comes after a lot of work has been done on the other levels. Nevertheless, due to its visibility and formality, it is important, and it is the track where many international mediators become involved.

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Successful Mediation in International Relations. *Journal of Peace Research* 28, No. 1, 1991, pp. 7–17.

<sup>4</sup> Interview with Julian Thomas Hottinger, August 2009.

<sup>5</sup> Montville, Joseph V.. The Arrow and the Olive Branch: The Case for Track Two Diplomacy. In: McDonald, John/ Bendahmane, D. B. (eds.) *Conflict Resolution: Track Two Diplomacy*. Washington D.C.: Foreign Service Institute, 1987, pp. 5–20.



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# Analytical framework

We use the where, why, and how questions to structure our mapping and comparison of different mediation actors. Before answering these questions for the various mediation actors, the range of answers are introduced below.

## Why are mediators engaged?

The “why” question addresses the reason for a mediator’s involvement: the mandate, interest, and motivation. We distinguish between a normative rationale for mediation engagements, based on values, and one that refers to more specific national or organizational interests. These self-interested motivations may further be divided into more direct/indirect and short-term/long-term expectations of benefits.

The normative basis for mediation is the humanist or religious value according to which global peace and security are desirable goods. As mediation is one method of contributing to peace and security, mediators tend to legitimize their mediation efforts by referring to these “universal” values of peace and security. However, peace and security can also be framed in terms of core national interests.

The indirect security interest for mediation is rooted in the recognition that globalization processes have made our world increasingly interdependent: On the one hand, conflicts and violence far from home often lead to problems on one’s own doorstep, e.g., terrorism, organized crime, forced migration, drug trafficking, and human trafficking.<sup>6</sup> On the other hand, some countries like Switzerland have strongly benefited from globalization, for instance due to increased ex-

ports, possibilities for investment in emerging economies, or easier access to a qualified workforce.<sup>7</sup> Hence, such countries have both a duty to share the burden of keeping the world as secure and peaceful as possible, and an interest in doing so.

The more direct security interest as a motive for mediation may lie in instability and insecurity in close proximity or in securing trade routes and markets. Economies that are especially export- and import-oriented may therefore be motivated out of economic interests to mediate. Economic interests may also be furthered through a country’s influence in the world’s economic capitals. This “soft power”, which has also been framed in terms of “open doors and access to key players”,<sup>8</sup> is another motivation for states and organizations to become involved in mediation. It may be used for various purposes, e.g., to enhance economic cooperation, to further national values or ideological goals in a region, in order to gain access to key players for support in times of crisis, or simply to be recognized as a player on the world stage.

A mediation engagement, even though often legitimized through a normative discourse, inevitably rests upon the self-interests of the mediator as well. Indeed, self-interest and values are in most cases not mutually exclusive. The most important thing, from a mediation perspective, is to be “self-reflective” so that the self-interests of a mediator do not lead to biased outcomes or jeopardize the long-term success of the process. Thus,

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<sup>6</sup> See for instance: Stewart, Patrick. Weak states and global threats: Fact or fiction? In: *The Washington Quarterly* 29, No. 2, 2006, pp. 27-53; Collier, Paul: *The Bottom Billion*. New York: Oxford University Press, 2007.

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<sup>7</sup> See for instance: Spescha, Geli. Interview with Serge Gaillard, Swiss Federation of Unions, and Franz Jaeger, University of St. Gallen. *Zur Debatte: Profitiert die Schweiz auch in Zukunft von der Globalisierung?*, In: *Die Volkswirtschaft*, September 2005 (retrieved from [www.seco.admin.ch/dokumentation/publikation/01353](http://www.seco.admin.ch/dokumentation/publikation/01353)).

<sup>8</sup> Wenger, Andreas/Mauer, Victor/Bruno, Stefano/Callsen, Christiane/Trachsler, Daniel. *Zivile Friedensförderung als Tätigkeitsfeld der Aussenpolitik*. Zürich: Center for Security Studies, 2006.

the question is not so much whether the mediator is mainly motivated by values or by self-interest, but rather whether this motivation leads to impartiality or partiality. There are mediators who mediate with their own agenda in mind, favoring one side over the other and influencing the outcome of the negotiations. This is problematic, as many mediators would argue that even directive or manipulative mediators should only be directive/manipulative regarding the process (how an agreement is negotiated), but not the outcome (the points subject to negotiation or the substance of the agreement). Once mediators meddle with the outcome, they violate a key principle of mediation, which is to support the parties in reaching a mutually acceptable outcome. This, in turn, may lead to a resumption of violence further down the road. In this case, the term “power diplomacy” may be more appropriate than the word “mediation”.

### Where are mediators engaged?

This question may refer both to the geography and the typology of conflicts. Considering the first dimension, mediators can become engaged in conflicts in a neighboring state, in a neighboring region, or far from home. However, there may also be differences with regard to the type and intensity of conflicts in which mediators become engaged: The database on armed conflict we use in chapter four distinguishes between “minor conflicts” (between 25 and 999 battle-related deaths per calendar year) and “wars” (at least 1’000 battle-related deaths).<sup>9</sup> Besides armed conflict, mediation often supports negotiations in non-violent crisis situations that nevertheless have the potential of escalation. Some of them (e.g., the conflict over the Iranian nuclear program) have a geopolitical impact, while others, often

dealing with domestic tensions, have a very limited geopolitical impact.<sup>10</sup> We consider all four types of conflict, but only examine conflicts that have a political dimension.<sup>11</sup> Due to the lack of available data, the quantitative analysis will only consider armed conflicts.

### How do mediators become engaged?

Mediation is a methodology, a way of dealing with conflicts in a non-violent manner. However, it also encompasses a certain type of attitude. The “how” question looks at the attitude and behavior of a mediator on the basis of seven qualities that we used to compare the various mediators. These seven qualities are based on the “seven deadly sins of a mediator” as described by Brahim and Ahmed (impotence, arrogance, partiality, ignorance, inflexibility, haste, false promises),<sup>12</sup> but described in reverse as qualities, and with a shift in focus away from a mediator’s personality towards the nature of the mediating entity (IGO, state, or NGO):

**Impartiality:** A mediator needs to be perceived by the parties as impartial or even-handed during

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<sup>9</sup> Uppsala University, Conflict Data Program: Retrieved from [www.pcr.uu.se/research/ucdp/definitions](http://www.pcr.uu.se/research/ucdp/definitions).

<sup>10</sup> Other scholars have defined international tensions as “(1) a change in type and/or an increase in intensity of disruptive (i.e., hostile verbal or physical) interactions between two or more states, with a heightened probability of military hostilities that, in turn, (2) destabilizes their relationship and challenges the structure of an international system – global, dominant, or sub-system” Brecher, Michael/Wilkenfeld, Jonathan. *A Study of Crisis*. Ann Arbor: University of Michigan Press, 2000, p. 4–5. In that sense, our definition of crisis is broader, as it may encompass conflicts that are not international (but domestic) and that do not destabilize the international system.

<sup>11</sup> Even though there is an (increasing) overlap between criminal (or illicit) activities and political conflict, we may still distinguish organizations whose primary goal is not political change (however vague and fuzzy it may be), but personal enrichment that is entirely dependent on the preservation of the political status quo. Examples of such organizations are criminal organizations, such as the Camorra and ‘Ndrangheta, drug cartels, and organizations active in human trafficking.

<sup>12</sup> Brahim, Lakhdar/Ahmed, Salman. *In pursuit of sustainable peace, the seven deadly sins of mediation*. New York: Center on International Cooperation, New York University, 2008. <http://www.cic.nyu.edu/internationalsecurity/docs/7sinspolicybrief.pdf>

the process. Once the parties feel the mediator is fundamentally biased toward one side or the other, it is impossible for her or him to mediate. Impartiality can stem either from the institutional background of the mediator, the mandate given to the mediator by her or his state or organization, or from the personality and behavior of the mediator. Cultural affinity may also influence the perception of impartiality.<sup>13</sup>

**Leverage.** During a process, mediators may increase or decrease the material and moral pressure that they apply on the parties, for instance through a “Group of Friends”. Hence, we can distinguish between “high-power” and “low-power” mediation styles. Both have advantages and disadvantages: Low-powered mediation is less threatening and more conducive to building trust and relationships; high-powered mediation may push a process ahead in the short term. Most processes require a combination of low- and high-powered mediation skills, depending on the phase and the parties involved. Given the definition of mediation as a process whereby conflict parties are supported in their negotiations, there are limits to manipulation in mediation. The decisionmaking power in matters of substance should always be left to the parties.<sup>14</sup>

**Sustainability.** Brahimi pointed out that haste often ruins peace processes. Time is an often neglected feature of peace processes; one has to “give time to time” and avoid setting deadlines to reach an agreement.<sup>15</sup> When a process begins, one often does not know how long it will last. A

mediator therefore needs the mandate and the resources for long engagements. This is a factor where actors such as the UN or states have a comparative advantage over NGOs or personalities, as is shown in the quantitative overview below.

**Knowledge.** If it is to be effective, Brahimi argues, mediation should be based on in-depth analysis of the conflict and its dynamics, a “political map” of the area. Similarly, Julian Hottinger points out that “the nature of the conflict shapes the nature of the process”,<sup>16</sup> which means that if you do not understand the conflict, you cannot design the process. Knowledge can refer to the conflict, the context, the topical expertise needed to address the issues in a conflict, and the expertise to design a process. While topical experts are rarely lacking, it often seems that there are not enough experts who can integrate the topics into the process and structure the debates in a way that supports the parties’ negotiations. Due to this lack of expertise, mediators may end up using copy-paste solutions for processes they are confronted with.

**Humility – the willingness to share, coordinate,** and not seek visibility at any price: Brahimi argues that the lack of knowledge is most dangerous when coupled with arrogance, as it means the mediator is not amenable to learning and in-depth understanding of the conflict. Successful mediators combine a strong personality with humility, which is a prerequisite for listening to the parties, sensing the dynamics, and reading between the lines. A large ego tends to kill creativity, patience, and the ability to listen.<sup>17</sup> On the level of state or institutional actors, humility en-

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<sup>13</sup> Wehr, Paul/Lederach, John Paul. Mediating Conflict in Central America. In: *Journal of Peace Research* 28, No. 1, 1991, pp. 85-98.

<sup>14</sup> See also: Crocker, Chester A./Hampson, Fen Osler/Aall, Pamela R. Multiparty Mediation and the Conflict Cycle. In: Crocker, Chester A./Hampson, Fen Osler/Aall, Pamela R. (eds.) *Herding Cats*. Washington: United States Institute of Peace, 1999, pp. 19-46.

<sup>15</sup> Nathan, Laurie. When push comes to shove: The failure of international mediation in African civil wars. In: *Track Two* 8, No.2, 1999.

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<sup>16</sup> Interview with Julian T. Hottinger, August 2009.

<sup>17</sup> Bowling, Daniel/Hoffman, David. Bringing Peace into the Room – The Personal Qualities of the Mediator and their Impact on the Mediation. In: *Negotiation Journal*, vol. 16, no. 1, pp. 5-28, 2007; Keller, Florian/Strehle, Res. Interview mit Marc Forster: “Wenn dein Ego zu gross ist, tötet es die Kreativität”, In: *Tages-Anzeiger*, 9 June 2009.

tails the willingness to share the various roles that need to be performed, as well as to share the credit for success or take the blame for failure. Conversely, a mediator who seeks visibility at any price can jeopardize a mediation process, as he or she will no longer be acting in the best interest of the process.

**Credibility.** Mediators need to gain the trust of the parties while building trust between the parties. This can only be done if they are credible in their actions. It is tempting to make promises, but if these cannot be kept, the mediator loses credibility. Credibility can also be derived from cultural affinity or a reputation for being even-handed. Moreover, there are various examples of how domestic politics can negatively affect the credibility of a mediator. The Muhammad cartoon crisis in Denmark or the minaret ban in Switzerland, for instance, have diminished the credibility of the respective countries in disputes with Muslim actors.<sup>18</sup> Finally, parties may find a mediator more or less credible depending on how they perceive the motivation of the mediator.

**Flexible, tailor-made approach:** Even when a process has been conceived based on an in-depth understanding of the situation, mediators must remain flexible, as new developments can create new opportunities and obstacles. Often, there is enormous pressure from the international community to provide quick fixes because of the urgent need to stop violence,<sup>19</sup> but also due to the very short attention span that the international community may devote to a specific crisis. Mediators who lack the personality, experience, and training for mediation tend to compensate by using standardized template solutions.

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<sup>18</sup> Mason, Simon J A/Aroua, Abbas/Åberg, Annika. Spannungen um den Islam in Dänemark, den Niederlanden und der Schweiz: Konstruktiver Umgang dank mediativer Ansätze? In: Wenger, Andreas/Mauer, Victor/Trachsler, Daniel (eds.) *Bulletin 2010 zur schweizerischen Sicherheitspolitik*. Zurich: Center for Security Studies, ETH Zurich, 2010.

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<sup>19</sup> Interview with Laurie Nathan, March 2009 (cf. [www.peacemediation.org/resources](http://www.peacemediation.org/resources)).

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# Recent Developments within Conflicts and Mediation Processes

This section aims at setting the scene for the subsequent analysis by laying out recent developments in terms of armed conflicts and the way mediation is used to resolve them. Furthermore, the structure and requirements of a mediation process are described.

## Context factors

*Trend 1: There has been an overall decrease of number of armed conflicts since the end of the Cold War, but a slight increase again between 2003 and 2008.<sup>20</sup> Tensions seem to be more multi-faceted than during the bi-polar constellation of the Cold War. There are indications that mediation will continue to be in demand in dealing with the complexity of contemporary conflicts.*

The world is more peaceful today than it was 20 years ago: There are nearly 80 per cent less major armed conflicts (>1'000 deaths per year) in 2008 than in 1988. Armed conflicts (>25 deaths per year) also decreased, as did the number of victims.<sup>21</sup> There are more worrying signs as well, however, such as a slight increase in armed conflicts between 2003 and 2008, an increase in the life-span of armed non-state actors, and an increase in intercommunity conflicts where no government is directly involved.<sup>22</sup> There are numerous reasons for these trends. Towards the end of the Cold War polarity, many tensions erupted that had previously been "kept under the lid" by one of the two superpowers. This led to an increase of conflicts in the late 1980s and early 1990s. On the other hand, the changed context

allowed for conflicts to be dealt with in a more constructive manner, in particular those where proxies of big powers used to fight against each other (e.g., Angola and Mozambique). The 1990s were therefore marked both by instability and by a great increase in international peacebuilding.<sup>23</sup>

Besides the end of the Cold War polarity, liberal thinkers point to increasing economic interdependence (which is often referred to as globalization) as one key factor in making the world more peaceful, as it increased the need for security and cooperation amongst states. However, while this growing economic interdependence may have had a positive impact on inter-state wars, it also made populations feel more vulnerable, which increased nationalism, religious fundamentalism, and other polarizations within states. Increased interdependence also means conflicts are more likely to affect entire regions rather than single states. Indeed, regionalized conflicts are more frequent today and are often linked to forced migration, illicit trade, and the blurring of the distinction between political movements and criminal organizations.<sup>24</sup> Due to this increased complexity of conflicts, it is likely that mediation will continue to be in demand. Indeed, one way in which mediators help parties in dealing with the complexity of a process is by disaggregating the content from the process. Mediation, as opposed to unassisted negotiations, enables the parties to

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<sup>20</sup> Human Security Report Project. *Human Security Report 2009/2010: The Causes of Peace and the Shrinking Costs of War*. Pre-publication. Vancouver: HSRP, 2010 (forthcoming in print from Oxford University Press).

<sup>21</sup> Ibid.

<sup>22</sup> Ibid. and presentation of Julian Thomas Hottinger at the Peace Mediation Course, 2009, Oberhofen.

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<sup>23</sup> Both peacemaking and peacekeeping efforts of the UN skyrocketed in the early 1990s, with UN peacekeepers peaking above 75'000 troops between 1993 and 1996 before being drastically cut again. Today, roughly 100'000 troops are deployed (see: United Nations Department of Peacekeeping Operations. Year in Review 2009. New York: United Nations, 2010, p. 67; and Human Security Report Project. *Human Security Report 2009/2010*, Chapter 4).

<sup>24</sup> Ramsbotham, Alexander/Zartman, I. William (eds.). *Paix sans frontières: building peace across borders*. Accord 22, January 2011; Giroux, Jennifer/Lanz, David/Sguaitamatti, Damiano. The Tormented Triangle. *LSE Working Paper* 47, 2009.

focus on the content while offering an opportunity to coordinate the support from the international community and address the regional and international implications of the conflict.

## Proximate factors

***Trend 2: The regionalization of conflicts often increases the difficulty of resolving them. This has led to a greater complexity of peace processes over the last decades. As a result, a plurality of mediators and better coordination between them are required.***

Mediation is increasingly perceived as an indispensable tool in the international community's efforts to handle armed conflict and severe political crisis. UN Secretary General Ban Ki Moon's report on mediation and its support activities highlights the importance of this tool: "Of the various means that the Charter suggests for this purpose (maintaining international peace and security), mediation has proved to be the most promising."<sup>25</sup> This is also supported by empirical evidence. Since the end of the Cold War, mediation has been used in about 50 per cent of all international crises. It generally leads to a five times greater probability of reaching an agreement compared to a non-mediated one, and a 2.4 times greater probability of long-term reduction of tensions.<sup>26</sup>

However, since 2003, there has been no more progress in reducing the number of armed conflicts. The question thus arises whether all armed conflicts can be permanently transformed into non-violent political struggle through mediation.

Some scholars argue that the "easy" conflicts were solved in the 1990s, after the end of the Cold War had laid the groundwork for a more constructive management of conflicts. The conflicts now remaining are the intractable ones, for instance in Central Asia, Central Africa, or the Middle East.<sup>27</sup> Scholars have pointed at many criteria to explain the intractability of conflicts, such as power symmetry between parties, lack of ripeness of parties, level of escalation, complexity of issues, and the geopolitical context.<sup>28</sup>

The intractability of contemporary conflicts calls for numerous roles to be fulfilled and for a high degree of coordination, which is often missing. What are these roles, and how to they change throughout the various phases of a peace process?

Roles required of mediators: No two peace processes are the same. However, there are five key roles that are found in most peace processes (graph 1):

- The chief mediator, who coordinates and acts as "moral guarantor" of the process, is generally appointed due to the person's political position and reputation.
- The mid-level mediators, who are trained in mediation skills, do the actual work of designing and mediating the process.
- The topical experts contribute knowledge on key topics, e.g., security, justice, power-sharing, or economy.
- Observers and donors of regional and global states that support the process politically and financially may apply leverage to the parties. Sometimes these are organized into "Groups of

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<sup>25</sup> Moon. *Report of the Secretary General on enhancing mediation and its Support Activities*.

<sup>26</sup> Beardsley, Kyle/Quinn, David/Biswas, Bidisha/Wilkenfeld, Jonathan. Mediation Style and Crisis Outcomes. In: *Journal of Conflict Resolution* 50, no. 1, 2006, pp. 58f. For a collection of more recent publications on mediation, see Svensson, Isak/Wallenstein, Peter. *The Go-Between: Jan Eliasson and the Styles of Mediation*. Washington: United States Institute of Peace, 2010, footnote 2.

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<sup>27</sup> Hampson, Fen Osler. Can the UN Still Mediate? In: Price, Richard M./Zacher, Mark W. (eds.): *The United Nations and Global Security*. Basingstoke: Palgrave Macmillan, pp. 75–92.

<sup>28</sup> See for instance: Zartman, I. William/de Soto, Alvaro. *Timing Mediation Initiatives*. Washington: United States Institute of Peace, 2010; Sguaitamatti, Damiano/Hellmüller, Sara. *Macht und Gerechtigkeit in Friedensverhandlungen*. Göttingen: Institut für Interkulturelle Praxis & Konfliktmanagement, forthcoming.

Friends” or “Contact groups”.<sup>29</sup> Media also play a key role in communicating the process to the respective constituencies and international observers.

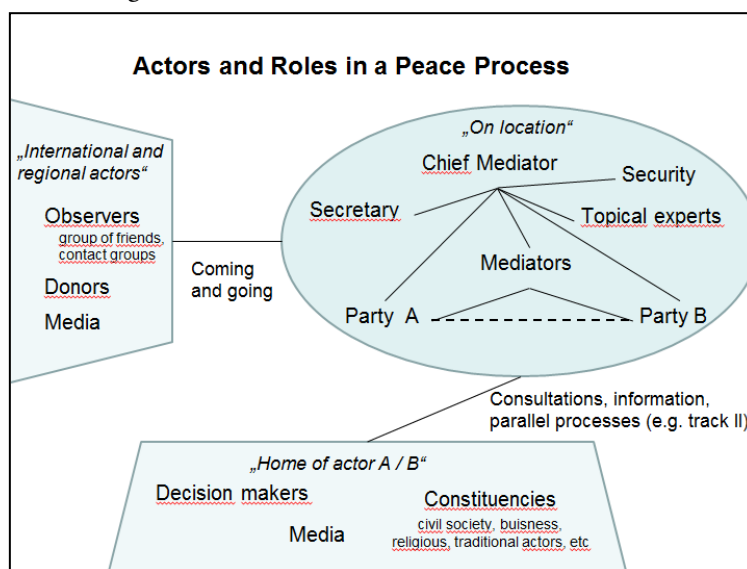
- The support staff on site (security, secretariat, logistics), and off site (e.g., for background research or training of parties).

The role of the chief mediator is the most prestigious one, and is often sought by the UN, IGOs,<sup>30</sup> or powerful states, regional states, as well as a few small states and NGOs. While the personality of the chief mediator is vital, her or his mandating organization is also important, as the institutional frame will always have an impact on the mediation style.<sup>31</sup> The mandate for the chief mediator is usually issued by an international organization (e.g., in the case of the Western Sahara Talks) or by the conflict parties (e.g., in the Central African Republic’s Inclusive Political Dialogue). The resources, legitimacy, knowledge, and interests of the organization are some of the factors that influence the choice.<sup>32</sup>

Once an organization has been tasked with leading a mediation process, other entities may second staff to the process, in particular professional mediators. The mid-level mediator will probably have greater influence on the overall process, while the topical experts are the ones who come and go, focusing on specific topics. The on-site support staff, finally, is generally delegated by the

lead organization, which may mandate off-site support to other organizations.

Changing roles as phases change: The roles described above are not fixed, but change during a peace process. In the first phase, sometimes called “pre-pre-negotiations” or “informal contacts” before the parties want to come to the table, mid-level mediators may seek to contact actors in a conflict to understand their logic, and to serve as a link to the outside world, should they ever want to attempt negotiations. This is low-profile and



Graph 1: Roles in a mediation process

risky work, especially when mediators have to deal with armed non-state actors.<sup>33</sup> NGOs and small states are more likely to engage in such low-profile work, as they may operate on a less formal basis than mediators mandated by a regional, international, or global organization. The mediators working during this phase mostly have to step back once the parties come to the table, as they are perceived as being too close to one of the parties.

In the second phase, the “pre-negotiations”, parties want to try negotiations, but do not yet know where, how, when, and with what specific aim.

<sup>29</sup> Whitfield, Teresa. *Working with Groups of Friends*. Washington D.C.: United States Institute of Peace, 2010.

<sup>30</sup> IGOs include *regional organizations* (such as the EU or the African Union), *cultural organizations* (such as the OIC or the OIF), and other global cooperation entities (such as the OECD or BRIC).

<sup>31</sup> Svensson/Wallenstein, *The Go-Between: Jan Eliasson and the Styles of Mediation*.

<sup>32</sup> Ibid.

<sup>33</sup> Hottinger, Julian T. Auf das achten, was nicht gesagt wird. *Schweiz Global* 4, 2005, pp. 32f.

These pre-negotiations are typically characterized by pre-conditions set by the parties, and an attempt to create some kind of framework so that once negotiations start, a certain degree of guidance is in place. The lead mediator will be selected in this phase. In most cases, a list of possible lead mediators will be established, and the parties will be consulted in order to find a person that is agreeable to all of them. In the case of the UN, this person is then appointed by the secretary general as part of his good offices, through a Security Council (SC) Resolution, or by the General Assembly.

The diverse roles mentioned above are played out most prominently during the third phase, where the actual negotiations take place. The lead mediator will decide on her or his mediation team (which tends to grow over time), the support roles, the secretariat, etc. The lead mediator will also maintain contact with the neighboring, regional, or global actors that have an interest in the process. Generally, a process will only be feasible if there is a minimal regional or international consensus on what can be done and how it can be done. If regional or global actors are actively disrupting the process, it is hard for the process to work.

Once the agreement has been signed, the implementation phase begins. Many scholars and practitioners argue that implementing a peace agreement is harder than negotiating one.<sup>34</sup> In order to facilitate the implementation of an agreement, it is vital that the preparations already be undertaken during the negotiations. Detailed schedules, roles, and responsibilities need to be established. Once it is clear that the UN will take on the implementation, UN experts join the process during

the last months of the negotiation process to set up the implementation.<sup>35</sup>

This brief overview has shown that mediation processes are extremely complex, even though we have only dealt with the official track 1 peace process. In reality, dialogs and negotiations would be going on at a different track level at the same time. Hence, there are many roles to play, and many different qualities in demand. This, of course, calls for a broad base of mediators to satisfy this diverse demand.

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<sup>34</sup> See for instance Arnault, Jean. *Good Agreement? Bad Agreement? An Implementation Perspective*. Princeton: Center of International Studies, Princeton University, 2006. Retrieved from [http://id.cdint.org/content/documents/Good\\_Agreement\\_Bad\\_Agreement.pdf](http://id.cdint.org/content/documents/Good_Agreement_Bad_Agreement.pdf).

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<sup>35</sup> Presentation by Julian Thomas Hottinger at the Peace Mediation Course, Oberhofen, 2011.



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# Providing Mediation: Comparison of Third Parties

We will first examine the provision of mediation services with a quantitative overview. This is followed by a more qualitative comparison of different mediation actors. We cluster the diverse mediators into five types of third parties: The UN, international organizations (mostly regional ones), states, NGOs, and high-profile individuals.

## Quantitative Overview

The database used for this overview is an excerpt from the conflict database of Uppsala University's Conflict Data Project, which covers third-party interventions in armed conflicts (with more than 25 battle-related deaths per year) from 1992 to 2009.<sup>36</sup> Mediated non-violent conflicts are not considered in this first overview.

***Trend 3: The number of mediations and the number of mediating actors has decreased over the last 18 years, which is not only due to the decrease in armed conflicts.***

From 1992 to 2009 (18 years), 204 different mediators were registered in 76 conflicts (graph 2). During this period, the number of mediators active in the field of mediation dropped significantly. For instance, while in the early 1990s, third-party interventions were conducted by 70 different states, only 40 states have still been active during the last five years. However, there are sev-

eral regional governmental as well as non-governmental organizations that have begun to undertake mediation activities in the last ten years, which compensates for the reduced number of states.<sup>37</sup> One reason why the number of state mediators has decreased is that some governments chose to support NGOs or IGOs (outsourcing) instead of maintaining their own capacities.

Most of the mediation processes were followed by two or more entities – sometimes in turns, sometimes simultaneously. As a consequence, the number of mediation engagements is much higher than the number of mediation processes and amounts to 532 different mediation engagements (defined as one actor engaging in one conflict for one or more years). However, the numbers both of mediation engagements and of conflicts significantly dropped during this period, from 105 third-party engagements (53 conflicts) in 1992 to 41 (36) in 2009. This is an indication that today negotiations are usually simultaneously assisted by one or two mediating entities (organizations, states, or personalities).

Despite the decrease in number, mediation is perceived by many practitioners as a “crowded field”. This perception is probably due not so much to the absolute number of actors and their engagements, but also to the intensified competition for different roles in a mediation process and a lack of coordination amongst the actors. Moreover, the perception of overcrowded negotiations only pertains to certain cases, mostly with high visibility, such as the conflicts in the Middle East

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<sup>36</sup> Military third-party interventions (e.g., NATO in Afghanistan) were excluded from the sample. Only non-military interventions in support of negotiations and/or the implementation of an agreement were counted. The database used is limited in various ways: First, each armed conflict accounts for **one** mediation process. The current database does not allow for a distinction between different mediation initiatives and processes in one conflict. The basic units are “conflict”, “actor”, and “year”. Further work is needed to aggregate different actors to specific processes. Moreover, more data is needed in order to add non-armed conflicts to the mediation events, to distinguish between different roles played in a process, and to include mediation support activities.

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<sup>37</sup> The 2006 ETH study therefore correctly points at an increasing number of organizations active in mediation. Wenger/Mauer/Bruno/Callsen/Trachsler, *Zivile Friedensförderung als Tätigkeitsfeld der Aussenpolitik*.

or in Darfur. There is no competition for the lead mediation in Togo's National Dialogue, for instance.

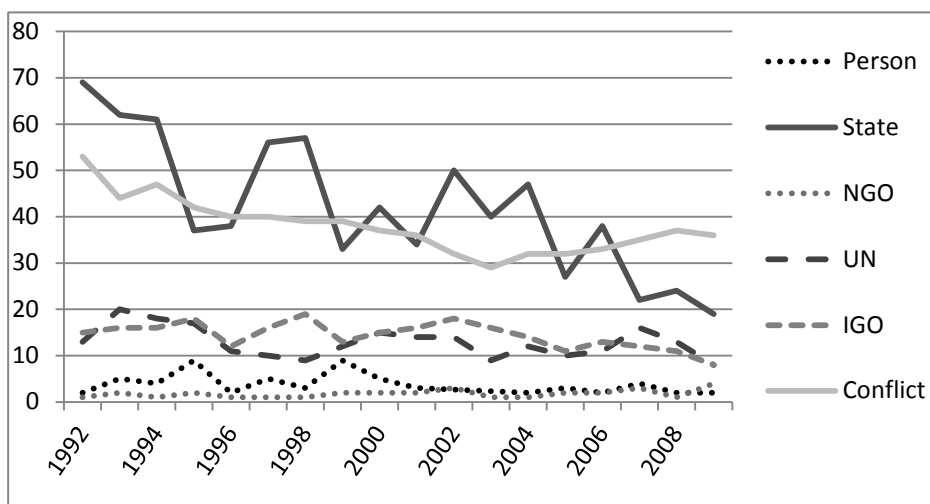
***Trend 4: States still remain the single most important type of mediator. They are followed by the UN and IGOs. NGOs and individuals rarely assume the lead mediation.***

The UN is by far the single most active mediator. The organization was involved in more than half of all armed conflicts and accounts for one-sixth of the total amount of mediation done. Yet, looking at the different types of third party, states are much more frequently involved than any other kind of mediator. A total of 108 states were responsible for more than half of all mediation engagements. Interestingly, the number and frequency of states involved in mediation has decreased considerably in the last ten years, even if they still remain the most important type of mediator.

Moreover, the types of actors differ considerably in terms of how long they remain engaged in each mediation activity. As one could expect, NGOs and individual personalities are at the bottom of the scale, with less than one and a half years per engagement. Only few NGOs, like Sant' Egidio, the Centre for Humanitarian Dialogue (CHD), or the Carter Center, are able to sustain an engagement for several years. States and IGOs are next, with an average engagement length of roughly two to three years. The UN clearly outbids all other actors with an average engagement length of almost six years.

## The mediation actors' profiles

As shown above, there is a demand for different mediation roles from case to case, as well as in individual processes, and this also changes as the process develops. Based on the analytical framework (where, why, and how), this section turns



**Graph 2:** Number of Conflicts and Third-Party Interventions from 1992 to 2009. Sources: Harbom /Wallensteen 2010: Armed Conflicts, 1946 – 2009; and own compilation of data based on Uppsala University UCDP Database. Peaks in 1997/8 and 2002/4 are mainly due to conflicts like Somalia, the Ivory Coast, or Guinea Bissau.

away from the quantitative approach above and looks in a more qualitative manner at the division of labor between the UN, IGOs, states, NGOs, and personalities. The assessment is based on case studies analyzing mediation efforts of the UN, of IGOs, states, NGOs and local mediators.<sup>38</sup>

## The United Nations

**Mandate:** The UN, and more specifically the UN secretary general and her or his envoys, has a special legitimacy to carry out mediation, due to the specific mandate given to the UN by its member states. Article 2, paragraph 3 of the UN Charter requires member states to settle their internation-

<sup>38</sup> A selection of the case studies is summarized on the following two pages. Most case studies can be found on [www.peacemediation.org](http://www.peacemediation.org). Three case studies on small- and medium-sized countries were established for the purpose of this study: Malaysia's mediation in the Philippines (2004 up to now), the Qatari involvement in the Darfur negotiations (2008 to now), and the Turkish-Brazilian mediation on the nuclear conflict with Iran (2010).

al disputes by peaceful means. Article 33, paragraph 1 of Chapter IV of the UN Charter requires member states to seek a solution by peaceful means to any dispute to which they might be party if that dispute is of such a nature that its continuance is likely to endanger the maintenance of international peace and security.

This reference to international peace and security limits the UN's room for maneuver in internal conflicts. There is an ongoing controversy over how to tackle the dilemma between observance of sovereignty and the need to intervene in internal conflicts. While it is the sovereign responsibility of the member states to ensure peace and security on its territory, the UN can assist: 1) upon the request of the parties, 2) upon the secretary general's initiative, 3) upon the request of the Security Council or 4) the General Assembly.<sup>39</sup> The UN therefore has a clear normative framework, but this is balanced by the interests of the secretary general, member states, and forums such as the Security Council or General Assembly. In the following, the interplay of various UN bodies is outlined, together with the specific strengths the UN can bring to bear in a process.

**Lead and support role:** With varying degrees of success, the UN has offered mediation in many cases<sup>40</sup> while contributing to others in partnership with other mediators, or in a supportive role.<sup>41</sup> Often, the UN latches onto an existing

process, contributing the necessary resources and leverage, especially for the implementation phase. In other cases, the UN may encourage regional IGOs to lead the mediation.

**Interplay of UN bodies:** Peace processes tend to call for a combination of both dialog and pressure. The UN can provide both. In some cases, a division of labor between "good cop" and "bad cop" may be possible within the UN system: The SG plays the "good cop" as an independent and impartial intermediary, while the SC can exert pressure on the parties, for example through UN SC resolutions.<sup>42</sup> This strength can, of course, also turn into a handicap if a consensus is lacking within the Security Council or if it does not back the secretary general (e.g., Iraq-Iran).<sup>43</sup> Thus, it appears that the secretary general's mediation efforts in conflicts of high geopolitical interest can be successful only if the Security Council backs those efforts with a coherent strategy. Without such a consensus, the secretary general will find it difficult to intervene. The secretary general can act more flexibly when conflicts are below the radar screen of geopolitics.

**Special representatives, envoys, and mediation support:** The system of special representatives or special envoys mandated by the secretary general is one big advantage of the UN in the field of mediation. If the person appointed has a high reputation, they have a lot of leeway to appoint their own staff and work with a highly qualified and flexible team. A mediator needs clarity on the broad parameters (e.g., legal framework), but beyond that should be able to respond mainly to the needs of the parties and the process. Short timeframes in a mediator's mandate undermine her or his flexibility and the sustainability of her

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<sup>39</sup> Ban Ki Moon, *Report of the Secretary General on enhancing mediation and its Support Activities*.

<sup>40</sup> Afghanistan, Angola, Bougainville, the Central African Republic, Colombia, Cyprus, East Timor, El Salvador, Equatorial Guinea/Gabon, Georgia, Guatemala, Guyana/Venezuela, Haiti, Iran/Iraq, Myanmar, Nepal, Nicaragua, Nigeria/Cameroon, Tajikistan, the former Yugoslavia, Macedonia, and Western Sahara. Ibid.

<sup>41</sup> Including in Bosnia and Herzegovina, Burundi, Cambodia, the Comoros, Côte d'Ivoire, Croatia, the Democratic Republic of the Congo, Eastern Slavonia, Ethiopia/Eritrea, the Great Lakes, Guinea, Guinea-Bissau, Haiti, Iraq, Kenya, Kosovo, Lebanon, Liberia, Mauritania, Mozambique, the Middle East, Namibia, Rwanda, Sierra Leone, Somalia, Sudan, Uganda, and West Africa. Ibid.

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<sup>42</sup> Picco, Giandomenico. The U.N. and the Use of Force. *Foreign Affairs* 73 (1994), Nr. 5, S. 14–18.

<sup>43</sup> Hampson, *Can the UN Still Mediate?*

or his efforts. Sometimes, mandates do not give the mediators enough room for maneuver.<sup>44</sup>

Within the UN DPA, the “Mediation Support Unit” specifically has the task of supporting UN special representatives and envoys, to develop guidance and institutional knowledge, and thereby in part to bridge the gap that is left by envoys and UN mediation experts when they move on. Finally, the UN also has programs (e.g., UNEP and UNDP) and agencies (e.g., UNHCR) that can offer mediation-related activities, such as supporting confidence-building measure or national dialogs, which are often of a less political nature and therefore more easily accepted by the parties.

In summary, the UN has a unique comparative advantage in the field of mediation, including broad legitimacy through its member states and charter, diverse tools, and vast human and financial resources. However, the coordination of the diverse UN actors and political influence of member states, especially through the UN Security Council, can at times be problematic and impede impartial, fast, and flexible mediation.

### Inter-governmental organizations

The entities subsumed under the heading of “Inter-Governmental Organizations” (IGOs) are extremely diverse. The differences between the African Union (AU), the Intergovernmental Authority on Development (IGAD), the Organization of the Islamic Conference (OIC), or the Organization for Security and Cooperation in Europe (OSCE) makes a categorization of their mediation characteristics difficult, if not impossible.

Generally, they engage both in a lead and a support role, and they are in a position to forge a regional consensus over a peace process or peace initiative. They have some similar advantages as the UN, having a broad legitimacy through their member states and a formal mandate to engage in mediation as a form of peacemaking.<sup>45</sup> In some cases, they also have vast resources at their disposal (e.g., the EU). In addition, they may be more flexible and adapted to the region. According to some statistics, regional IGOs are the most successful type of mediator.<sup>46</sup>

However, IGOs (in particular regional ones) tend to be dominated by one or more strong member states, which may use such a structure to coordinate their activities and push through their agenda. This is partly the case for Nigeria in the ECOWAS, South Africa in SADC, Kenya or Ethiopia in IGAD, Germany, the UK, and France in the EU, as well as for Saudi Arabia and Egypt in the Arab League. Due to the influence of certain regional powers, they may also be seen as being more biased than the UN, i.e., as having a specific stake in the conflict. Limited resources and their dependency on Western donors are additional difficulties with which many IGOs struggle.

In the case of Darfur, the AU led the process first alone, and then in partnership with the UN. The set-up of having two special envoys, one from the UN and one from the AU, did not seem to work, however.<sup>47</sup> Learning from this, the AU and the UN decided to have one lead mediator, who would be accountable to both the AU and the UN. The AU/UN Darfur mediation also worked

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<sup>44</sup> “The Secretary General is at the beck and call of the Security Council and that is as it should be, but he needs a longer leash.” Franck, Thomas M. The Secretary General’s Role in Conflict Resolution: Past, Present, and Pure Conjecture. *European journal of international law* 6 (1995), no. 1, pp. 360–387. See also interview with Laurie Nathan at [www.peacemediation.org/resources](http://www.peacemediation.org/resources).

<sup>45</sup> For instance, the African Union disposes of a mandate through Article 6 of the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*.

<sup>46</sup> Elgström, Ole/Bercovitch, Jacob/Skau, Carl. Regional Organizations and International Mediation. *African Journal of Conflict Resolution* 3 (2003), Nr. 1, S. 111–27.

<sup>47</sup> Flint, Julie: *Rhetoric and Reality: The Failure to Resolve the Darfur Conflict*. Geneva: Small Arms Survey, 2010.

in collaboration with states, e.g., Qatar (see below). Maintaining territorial integrity will remain a strong dimension of AU mediation, as member states will be concerned about setting a precedent that may be applied to themselves. This is also a reason why the AU as a mediator in the Darfur context will probably not favor secessionist ideas.

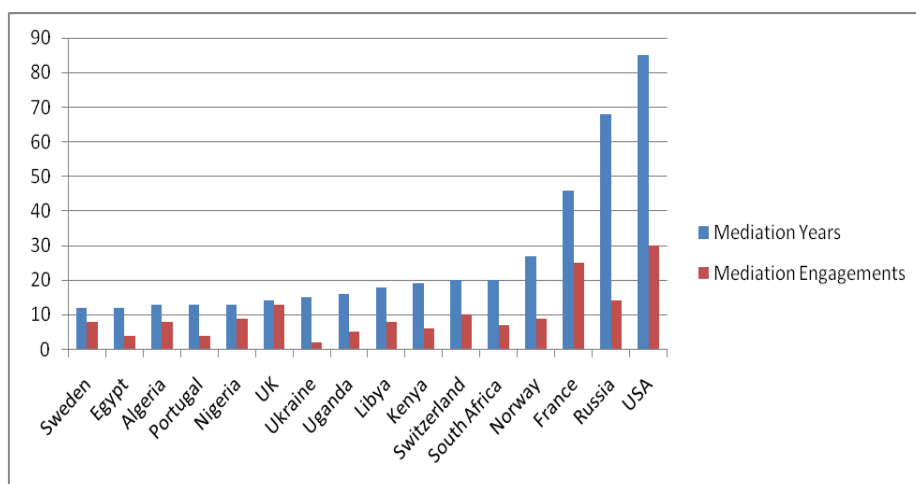
In summary, the diversity of IGOs provides a variety of advantages and disadvantages. The degree of resources they can leverage, the closeness of an IGO to one or another party, and the degree to which they can be impartial (due to their closeness to a party, or principles of territorial integrity they may follow) are three fundamental issues in which there is strong variation between organizations.

## States

The impressive number of states involved as third parties calls for a closer look. One major challenge is the heterogeneity of the “mediation community” of states offering third-party services, which includes countries as diverse as the US, Qatar, Malaysia, Gabon, and Cuba. Nevertheless, they are an interesting group, as they share some of the characteristics of IGOs or the UN – a certain degree of leverage and the legitimacy of a sovereign state – as well as some of the characteristics of NGOs – such as flexibility and responsiveness.

The “mediation community” of states is roughly divided into a group of habitués, who mediate or contribute to mediation often and for longer periods of time, and the broad range of occasional third-party actors. A closer look at the latter reveals that there are some states that have begun to undertake more sustained mediation activities in recent years. The countries mediating most frequently are the big powers – the US and Russia –, followed by France, Norway, Switzerland, South Africa, Kenya, and Libya (graph 3). All of these countries – except for South Africa, which emerged as regional power after the abolition of Apartheid – were active during the entire post-Cold War period. During the second half of this decade, a number of states intensified their mediation activities, or explicitly declared their readiness to increase their efforts in assisting peaceful conflict resolution. These countries include Saudi Arabia, Qatar, Turkey, Malaysia, and Brazil.

Let us take a closer look at the three case studies of “emerging mediators” Turkey/Brazil, Qatar and Malaysia. All of these states sought to increase their influence (“soft power”) globally or within a specific community of states. The linkage to a specific group of states was therefore vital in all engagements; however, the community within which recognition was sought varied: For Malaysia, for instance, what mattered was its lead role within the community of Muslim states,



**Graph 3:** The states with more than ten “mediation years” of experience. One “mediation year” describes one year of engagement in one conflict. Switzerland’s 20 years of engagement in ten different conflicts means that on average, Switzerland stays engaged for two years in one conflict. It should be noted that Switzerland has been engaged as a mediator in several non-armed conflicts and mediation support activities, none of which are included in this graph.

while Turkey sought both global recognition as an emerging power and a higher profile in the Middle East. Economic interests only played a role in the Malaysian context, where region bordering on the Philippines was expected to benefit from increased trade and investments. Yet, direct economic benefits from mediation are hard to calculate, uncertain, and therefore rarely an important driving factor. Economic advantages may result indirectly from a higher political profile and open doors in global economic capitals.

Apart from international recognition, the domestic audience played a key role at least in the two examples of Turkey and Malaysia. The governments sought to benefit in terms of votes from their engagement within a community or region that had cultural and/or religious ties with its majority population. Turkey's Foreign Minister Ahmet Davutoglu, for instance, cited Afghanistan, Bosnia-Herzegovina, and Iran as "concerns" for Turkey, all of which were countries with Muslim populations. The danger of such strategic engagement may be its dependency upon the current government's electorate.

### Non-governmental organizations

NGOs have no democratic legitimacy for their work. They may be indirectly "controlled" through a board of respected personalities, their budget, and their main donors, e.g., the Center for Humanitarian Dialogue, supported by Norway, the UK, and Switzerland; the Carter Center, supported by the US; and the Crisis Management Initiative (CMI), supported by Finland. Their key asset, however, is their flexibility and the ability to react quickly upon requests for mediation, often "below the radar screen".<sup>48</sup> In some cases, a state may not want another state to interfere in its

domestic affairs, let alone a regional or international organization. As NGOs are weak, it is easier to control them or kick them out than it is to control or expel the representative of a state. States may therefore prefer NGO mediators, as they feel they can control them.

Armed non-state actors, on the other hand, generally prefer mediators with greater international legitimacy, as contact with them also gives them greater legitimacy.<sup>49</sup> The case of the Centre for Humanitarian Dialogue and later the Crisis Management Initiative mediation in Aceh illustrates this: Indonesia did not want a state to become involved. It was only when the question of implementation came up, that the EU and ASEAN were brought on board, as past experience had shown that NGOs lacked the weight, as well as the financial and human resources, that are required for this phase.<sup>50</sup>

In some cases, an NGO has a different legitimacy than a state. The religious community of Sant' Egidio, for example, has legitimacy by virtue of being a religious community associated with the Catholic Church that other NGOs do not have, but that may be highly appreciated by some actors.<sup>51</sup> Another special form of NGOs in the field of peace mediation are independent research institutions and think-tanks. While they may not be directly involved in peace mediation, they may provide in-depth research and case expertise that is essential for mediators to begin to work on a case.<sup>52</sup>

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<sup>49</sup> Ibid.

<sup>50</sup> Huber, Konrad. *The HDC in Aceh: Promises and Pitfalls of NGO Mediation and Implementation*. East-West Center, 2004 (Policy Studies 9).

<sup>51</sup> More information on Sant' Egidio is available at: [www.santegidio.org](http://www.santegidio.org).

<sup>52</sup> "Useful" research, in the context of mediation, seems to have the following characteristics: 1) it is not driven by one theory, but focuses on trying to understand the unfolding reality of a specific case or outlining the different schools of thought on a selected topic, 2) it is impartial, and explains events and actors

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<sup>48</sup> Lanz, David/Sguaitamatti, Damiano/Siegfried, Matthias. *Towards Realizing the Strengths and Mitigating the Challenges of NGO Mediators, Final Report of the Consultation Process*. Berne: swisspeace and CSS/ETH Zurich, 2009.

In summary, NGOs are fast and flexible, but often lack the leverage or democratic legitimacy needed for sustained mediation efforts in challenging political conflicts. Their key advantage seems to be in the pre-negotiation phase, or in support of negotiations and implementation.

### High-profile individuals

Individual personalities often have weight as mediators independently of their institutional backing. The moral legitimacy that people such as Nelson Mandela can contribute is a form of leverage that is strongly personalized, but may be more effective than the “hard power” of other mediators. The leverage of such people comes from their experience, seniority, and reputation. In the Burundi process, which was pushed by an ad-hoc coalition of neighboring states that had imposed sanctions on Burundi after the coup d'état of Pierre Bouyoya, the gravitas of Julius Kambarage Nyerere and later of Nelson Mandela was vital for advancing the process. In some cases, high-profile individuals will create an institution to back them up, such as the Carter Center, Marti Ahtisaari's Crisis Management Initiative, the Kofi Annan Foundation, or the Mwalimu Nyerere Foundation.

### Local mediators

Besides international NGOs, local NGOs and individuals rooted in the conflict country or region often become involved as vital mediation resources before, during, and after a formal peace process. Often, local mediators work in the informal and multi-track field, supporting and

feeding into the formal process. They have the advantage of extensive knowledge and networks, and may be trusted due to their dedication. In some regions (e.g., in most Asian countries), international actors are not welcome as intermediaries; therefore, local solutions are the only alternative. International actors have a supportive role in these situations (like in Nepal). Indeed, in most cases, contact with international mediators is vital, as local persons or institutions may be isolated, targeted by violence, or seen as biased by one or the other side.<sup>53</sup> Nevertheless, as external mediators often come late and leave early, local mediators are generally essential for holding together the fabric of society.

## Comparison of actors

Why do different types of mediation actors mediate?

The motivation for an engagement has a direct impact on the impartiality of a mediator. The “UN family” has a mandate based on values and interests in peace and security in some cases. However, the UN may be partial in cases where powerful member states have a stake in the conflict (e.g., in the Middle East)<sup>54</sup> or may even be unable to intervene at all. However, in cases where there is a consensus amongst the Security Council or General Assembly members, or where the conflict does not attract the interest of the international community, the UN may act as a credible and impartial mediator.

IGOs, in particular regional ones, are frequently motivated by the interests of the dominant member state, often making them more partial than the UN. Small states such as Norway, Finland,

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in a non-biased manner; 3) it is forward-looking: Rather than simply explaining the past or providing recommendations on what to do, it highlights developments and options. Source: Discussion at the Peace Mediation Training for “Cordoba Now”, 20–24 July 2011, Oberhofen, Switzerland.

<sup>53</sup> Mason, Simon. *Insider Mediators, Workshop Report*. Berghof Foundation for Peace Support and CSS/ETH Zurich, 2008.

<sup>54</sup> De Soto, Alvaro. *End of Mission Report*. Mai 2007. <http://image.guardian.co.uk/sys-files/Guardian/documents/2007/06/12/DeSotoReport.pdf>.

Switzerland, or Sweden tend to be impartial mediators. They certainly have national interests too, but these will not influence their mediators to shape the agreement one way or the other. In contrast, larger powers, neighboring states, or states with a colonial history may mediate with some agenda in mind, which means that the outcome of the peace process is not left entirely in the hands of the negotiating parties. The pressure exerted by the US and the UK on the armed non-state actors of Darfur in the Abuja negotiations in 2006 is a case in point.<sup>55</sup>

NGOs tend to argue that they have a value-based approach, and work on a voluntary or non-profit basis. Nevertheless, some NGO mediators may be closely tied with their home government's policy, even if they act "independently". Some NGOs and private mediators may also be paid substantial amounts, and have been labeled as "mercenary mediators", so it is hard to argue that their work is simply based on immaterial values. Just as any other mediator, NGOs therefore need to prove to be impartial through their work.

High-profile individuals tend to be motivated by the whole range of egoistic and altruistic motives as well as different beliefs, similar to people working in other professions. Local mediators, finally, tend to be strongly motivated to work for peace and social cohesion in their own country, often at risk of being physically attacked or having their reputation sullied.

Where do different types of mediation actors mediate?

The UN is the mediator of last resort, focusing on high-intensity conflicts. States tend to become involved if neighboring states are involved in the conflict. States that become involved in remote

conflicts do so either because they have geopolitical ambitions or because mediation is one of their foreign-policy tools (as is the case for Norway or Switzerland, for instance).

The case studies (Iran, Philippines, Darfur) with states as mediators illustrate cases that attracted a high level of global attention, be it because of the so-called "global war on terrorism" invoked by the US (Philippines), pressure from civil society advocacy groups (Darfur), or non-proliferation (Iran). The stakes were very high for the country offering mediation, and in all cases, the mediator chose a high-profile intervention with a clear lead role, even though in all cases, the leader was co-mediating with other entities or states (Qatar-UN/AU; Malaysia with changing partners; Brazil-Turkey). All three mediation efforts took place within a regional or cultural community.

NGOs tend to work either in support of efforts in high-level conflicts, or focus on conflicts that are off the radar screen of international politics. Local mediators work in conflicts within their own country or community, starting long before the international mediators arrive, and continuing long after the latter have left again.

There are very few processes where only one type of mediator is involved. Generally, NGOs or states will be used early on in the pre-pre-negotiation phase<sup>56</sup>. States and IGOs will be active in the pre-negotiations and negotiation phases. The UN often comes in during the negotiations and usually takes on the implementation phase, as this phase requires the most resources and leverage. For the same reasons, NGOs usually fail in taking on the lead role in the implementation, as they lack these very resources.<sup>57</sup>

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<sup>55</sup> Nathan, Laurie. No Ownership, No Peace: The Darfur Peace Agreement. *LSE Working Paper 5* (2006).

<sup>56</sup> Lanz/Sguaitamatti/Siegfried, *Towards Realizing the Strengths and Mitigating the Challenges of NGO Mediators*.

<sup>57</sup> Huber, *The HDC in Aceh*.



How do different types of mediation actors mediate?

***Credibility: A Balance between Affinity and Impartiality:*** The credibility of the UN and IGOs stems from their member states' commitment to, and leverage in, a process. However, powerful states may be tempted to use their influence to manipulate the outcome of a process, thus undermining their impartiality and hence their credibility as mediators.

Small states, NGOs, and individuals tend to build up credibility through their experience and impartial professionalism. The key advantage of smaller states seems to be situated in psychological "identification factors" of mediation. Identification is based on the relationship with the parties and the mediator's status within a certain community (e.g., "Arab nations", "Muslim countries", or "emerging economic powers"). Leverage and power was less important: Indeed, the lead mediation role was always coupled with a low-powered intervention, leaving the role of the "bad cop" to other countries. The assertiveness of the mediator was always left to the parties to decide.

***The dilemma between professionalism and visibility:*** Nearly all mediation actors must prove to their constituencies that they are effective mediators, and they may do so by trying to be visible in some form or another. These constituencies may be member states (in the case of the UN and IGOs), the wider population and political parties (in the case of states), or the donor community (in the case of NGOs). As confidentiality and time are often required to build trust in peace processes, however, mediators are often faced with a dilemma: visibility versus humility. The challenge is to show effectiveness irrespective of immediate visibility. Currently, the incentive structure for remaining humble and refraining from short-term visibility is limited.

One way around this dilemma is to look at humility and visibility over time and with respect to different target audiences. Mediation efforts may not be visible in the short term due to the need for confidentiality and the time required to build trust and negotiate an agreement. However, in the medium and long term, visibility may be possible without harming the process. Visibility is thus delayed rather than derailed. Target audiences may consist of the wider domestic public, domestic politicians and parliamentarians, and a selective group of international decision-makers. Confidential processes may be communicated to these different target groups at different times and in different manners.

***Humility as the willingness to coordinate:*** In the case studies on Darfur, the Philippines and the nuclear conflict, the mediating states had to recognize they could not sustain the mediation on their own. All states had to look for partners and coordinate with other entities. There is an interesting trend to look for other coordinating bodies and entities than the UN. The involvements of ASEAN, the OIC, the AU, or the Arab League demonstrate an interest in keeping a non-Western profile, or even protecting the mediation from Western influence (e.g., Malaysia in the Philippines).

***Sustainability:*** Mediation is like planting trees: A long-term outlook is required. Contacts built up with one or both sides of a conflict may only come to fruition years or decades later. Mediation actors need a long-term planning horizon. At first sight, the UN and states have a clear comparative advantage here, as they can engage over longer timeframe than NGOs or personalities.

The three examples on mediation by states confirm this finding. Based on these examples, the three key determinants for longer-term involvements seem to be direct economic and security interests, ties to one or more parties, and com-

mitments within a regional/international community. Any third party may actively seek to forge relationships with conflict parties and coalitions of like-minded states in favor of a peace process and hence contribute to the sustainability of its engagements.

States, however, may be limited by domestic policies and terms of legislature, and the UN may be limited by bureaucratic procedures, budgetary deadlines, and mandates. Even more importantly, both states and the UN face serious problems due to the usual rotation of staff working abroad as well as at the headquarters level. This has an immediate negative impact on the planning horizon, the ability to adapt to the needs of a process, and the buildup of institutional know-how and experience.

***Knowledge as a crucial factor in mediation:***

This last point is all the more regrettable, as expertise and experience are crucial success factors in mediation. Due to the huge number of engagements, the UN could serve as a hub and center for knowledge, but its staff turnover is so high that continuity is endangered.

States tend to specialize in geographic knowledge, topical knowledge, or process knowledge, or a

combination of these. States, of course, have different human resources policies. Ideally, these policies would ensure the specialization of staff on mediation-related issues and their deployment in regions where they may apply their know-how.

Recently, the UN as well as some states have created specialized units within their administrations to support mediation efforts and manage the respective know-how. Despite this, NGOs are often well placed to provide mediation expertise, as long as they have sufficient capabilities for long-term human resource development.

***Flexibility and tailor-made approaches:*** In part due to the high rotation of staff, mediation institutions have a tendency to seek quick-fix solutions that conform to a preconceived template. Quick-fix solutions, which may in part be copied from other contexts, do not work in the long term. Solutions must be generated by the actors concerned and adapted to the context, and must take into account the dynamics of the conflict as well as previous mediation attempts. Mediation actors focusing on the long-term impact of their engagements must therefore invest in developing and maintaining a mediation capability that is commensurate to the task of tailored interventions.

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## Case Study summaries

### Case study Iran Nuclear process

On May 17 2010, **Iran, Turkey, and Brazil announced a deal on the Iranian nuclear program**, which stipulated the shipping of 1200 kg of its low-enriched uranium to Turkey in exchange for higher enriched uranium that could be used for medical research in the Tehran Research Reactor. The content of the deal was very similar to an offer made by the Vienna Group (UN, US, France, and Russia).

The mediation effort by Turkey and Brazil was the result of a Turkish initiative. Since 2008, Turkey had played the role of facilitator offering a venue for the talks. Early May 2010, Iran agreed to include Brazil as a mediator together with Turkey. The Turkish initiative needs to be interpreted in the context of at least two trends: First, Turkey's aspirations in the region; and second, the aspirations of emerging powers in global politics.

The agreement was seen with skepticism by the West, in particular the US, who was preparing a fourth package of sanctions at that time. Obama was facing the uncomfortable choice between rejecting his own proposal and seeing months of effort to enact new sanctions derailed. Conversely, the agreement was hailed by Turkish observers as the first incursion by emerging regional economic powers into a political sphere, which was usually left to the Western powers.

See also: Mehmet Ozkan: *Significance of Turkey-Brazil Nuclear Deal with Iran*. Institute of Foreign Policy Studies, University of Calcutta, 2010. Kessler, Glenn. *Iran creates illusion of progress in nuclear negotiations*. Washington Post, 17 May 2010.

### Case study Darfur talks

Following the continued failure of the AU-UN initiatives to craft an inclusive and credible peace process for Darfur, the Arab League and the African Union conferred on Qatar the task of sponsoring negotiations in September 2008. AU-UN mediator Djibril Ipène Bassolé had no choice but to use the Qatari initiative as the official negotiation process. However, Qatar and Bassolé were only able to persuade one armed movement, the Justice and Equality Movement (JEM), to join the talks.

After the signing of an agreement between the government and JEM in early 2009, several factions of the Sudan Liberation Movement (SLM) re-united and joined the talks in Qatar in 2010. JEM, however, refused to recognize the new negotiating parties. As a consequence, during most of 2010, the UN-AU mediation, jointly with the Qatari facilitation, struggled to create an inclusive process with all armed movements.

Since the beginning of the process, both the Qatari facilitation and the UN-AU mediation had been accused of favoring an exclusive process that promotes the Sudanese Government's interests through a divide and rule approach. Since early 2009, when it seemed that the Doha talks would not reach out to any faction of the SLM, Egypt announced its own initiative to unify the armed movements in Cairo. However, thanks to a coherent response from the international community, the Qatar initiative prevailed as the only forum for negotiations.

See also: Small Arms Survey: *Darfur Peace Process* ([www.smallarmssurveysudan.org/facts-figures-darfur-peace-process.php](http://www.smallarmssurveysudan.org/facts-figures-darfur-peace-process.php)) and *Darfur Peace Process Chronology* ([www.smallarmssurveysudan.org/pdfs/facts-figures/darfur-peace-process/HSBA-Darfur-Peace-Process%20Chronology.pdf](http://www.smallarmssurveysudan.org/pdfs/facts-figures/darfur-peace-process/HSBA-Darfur-Peace-Process%20Chronology.pdf)).

### Case study Sudan North-South

In the Sudan North-South peace process between 2002 and 2005, **IGAD** was the lead mediator, with the mediation team being headed by the Kenyan Lazarus Sumbeiywo. It was mainly funded by the EU, with mid-level mediators from South Africa and Switzerland. The agreement was implemented with some 10'000 UN peacekeepers.

The Sudan process was an "IGAD process", and its role was to guide and coordinate all the other third parties that were also vital. The main motivation of IGAD in the Sudan process was the member states' concerns of negative spill-over effects should the civil war continue.

Some scholars have argued that IGAD under the leadership of Kenya was biased towards the SPLA, as opposed to the government of Sudan, due to cultural affinities and historical developments. Nevertheless, the IGAD-led Sudan peace process was very successful, as it succeeded in stopping a decade-long civil war and helped to start a transitional phase.

See also: Brosché, Johan. *Sharing Power – Enabling peace? Evaluating Sudan's Comprehensive Peace Agreement 2005*. Uppsala: Uppsala University, 2009.

### Case study Arab Peace Initiative

An interesting case is the **Arab League** with its "Arab Peace Initiative", pushed by Saudi Arabia. While it did not seek a lead in the Israel-Palestine peace process, it sought to contribute to the ongoing peace processes in the Middle East, mainly by dealing constructively with the regional dimension of the conflict.

The initiative found wide support, and many analysts felt that the fact that it was not used to a greater extent marked a missed opportunity. In the words of the Oxford Research Group: "The API [...] is the only regional peace proposal on offer and is widely regarded as the 'only show in town' that encompasses the three sets of bilateral negotiations (with Palestinians, Syria, Lebanon) within a comprehensive multilateral framework"

The case is interesting as it shows how a regional organization may push for a regional solution to a conflict that will not be solved on the bilateral track alone. Clearly, the motivation of the Arab League is to foster regional peace and security in a conflict that affects it negatively. The Arab League is also clearly biased towards the Palestinians, but in the peace initiative sought to create a proposition that was also "yesable" from the point of view of Israel.

See also: Mohammed S. Dajami Daoudi, Wasatia The Spirit of Islam, Wasatia Publishing 2009; Rifkind, Gabrielle. *Arab Peace Initiative, why now?* London: Oxford Research Group, 2008.

### Case study Philippines Peace Process

Malaysia started its involvement as a facilitator of the talks between the Moro Islamic Liberation Front (MILF) and the Government of the Republic of the Philippines (GRP) in 2001. Both the MILF and the GRP requested the involvement of the Malaysian government as a mediator, i.e., with an active engagement with both sides.

Due to its double membership in ASEAN and the OIC, Malaysia could use both networks to coordinate its work with other countries trusted by the armed movement. After the conclusion of agreements on economic development (2001) and security (2003), Malaysia also led the establishment of an International Monitoring Group from various Muslim countries. However, the last agreement on "Ancestral Domains", which covered issues surrounding autonomy and use of natural resources, was ruled unconstitutional by the Philippines Supreme Court, thereby slowing down the process.

Numerous actors supported this peace process – before, during, and after its breakdown – including Malaysian academics and NGOs, JAICA, and the Centre for Humanitarian Dialogue. By contrast, both MILF and the Malaysian government resisted any US participation in the talks – even as observers or through the United States Institute of Peace.

See also: Camilleri, Rita. *Muslim Insurgency in Thailand and the Philippines, Implications for Malaysia's Cross-Border Diplomacy*. Mansha Asia Institute, 2008.

## Implications for Switzerland

Moving from the general to the specific, this chapter seeks to learn from the analysis of the past sections to examine the potential mediation role of Switzerland. Why does it get involved, where does it get involved, and how could it best use its comparative advantages?

### Interest in and motivation for mediation involvement

**Key message:** *Switzerland is motivated to mediate both by values and national self-interest. The value basis for mediation lies in the Swiss constitution, the country's humanitarian tradition, and professional ethics. Its national self-interest in mediation is grounded on a desire to increase its "soft power" and contribute to global security, rather than in direct security benefits. Values and interests converge and build on each other, if a long-term perspective is taken.*

The motivation or rationale of a mediation engagement largely determines the expectations of mediation by the larger domestic public. If self-interest is the selling factor, mediation will be expected to deliver benefits for Switzerland. If values are the basis, people will expect positive impacts regarding peace. In order to have a wide and long-term basis with different constituencies, Switzerland's mediation strategy should therefore be based both on values and self-interests. To avoid false expectations, the communication of what is realistically feasible is also essential.

Regarding the value basis: The Swiss constitution stipulates that: "The Confederation shall promote [...] the peaceful co-existence of peoples" (Art. 54). This provides a normative framework in which to use mediation as a tool to promote peace. Moreover, mediation can be seen as a continuation of Switzerland's humanitarian tradition, i.e. its engagement to mitigate human suf-

fering. Switzerland has a consensus oriented political system, and a foreign policy built around the idea of "neutrality". These aspects provide values and experiences pertinent to mediation.

From the point of view of national interests, security, political influence and economy are relevant. After the settlement of armed conflicts in the Balkans, Switzerland and its global investments are more threatened by indirect security threats far from home, rather than direct security threats from within the proximate region.<sup>58</sup> Contributing to global efforts to increase security irrespective of geographic proximity therefore makes sense. This also dovetails with the other main Swiss "interest" in mediation: an increase in political influence (soft power) that helps Switzerland gain access to key players and increases its international reputation. Swiss mediation efforts in Nepal, Sudan and between Turkey and Armenia are examples of engagements strengthening the relations to global powers.

Why to engage?	<b>Values</b>	
	• Constitutional mandate	
	• Humanitarian values	
	• Tradition of neutrality and consensus politics	
	<b>National Interests</b>	
	<i>Security:</i>	Mitigate indirect security threats to Swiss people and assets
	<i>Political:</i>	Be perceived as a valuable partner on issues of global security and have access to key political players
	<i>Economy:</i>	Safe global environment for trade

The economic foreign-policy interests may be furthered by mediation engagements only in a long-term perspective. Trade benefits may be a side-effect of mediation, but such benefits are less predictable and therefore cannot serve as the

<sup>58</sup> Schweizerischer Bundesrat. *Bericht des Bundesrates an die Bundesversammlung über die Sicherheitspolitik der Schweiz*, 2010.

main rationale. If short-term interests are said to be the main reason for mediation, the direct benefits for Switzerland have to be shown for each case. This is hard to do and may even be harmful to the mediation engagement. It is also counter-productive for the professionalism of Swiss mediation, since mediators often need many years just to establish first contacts with armed non-state actors.

As a consequence, basing Swiss mediation both on values and national interests is plausible only if a long-term view is adopted, where the “return on investment” and the satisfaction of national interests are not expected to materialize immediately, and where the congruence of mediation with humanitarian values shared by Swiss citizens provides for sustenance and credibility even in difficult times.

## Types of conflicts and geographic focus

*Key Message: From a normative and self-interested point of view, Switzerland should become engaged in inter- and intra-national conflicts based on where it can contribute with the greatest “added value”. This also means working in conflicts far from Switzerland and in conflicts that are not of a high-level nature.*

Switzerland has various criteria that are used when deciding on where to begin or continue an engagement (effectiveness, national interests, comparative advantages, demand from the parties, synergies, and risks).<sup>59</sup> What is unclear in this list of criteria is which one has priority. We argue that the main criterion for the selection of mediation cases should be the “added value” of a Swiss contribution to the mediation process. This depends on the requirements in a given process,

the coordination amongst the third parties, the roles already taken by other third parties, and the comparative advantages of Switzerland. Immediate economic or political interests (including visibility), should not be of primary concern. This sequencing is based on three considerations:

First, from a humanitarian perspective, human suffering far from Switzerland is just as tragic as when it is close. Offering mediation only where a direct benefit is apparent contradicts humanitarian norms as well as the constitutional mandate to promote peace and reduce human suffering globally. Today, a humanitarian motivation calls for mediation engagements even far from home. Moreover, as Switzerland benefits from other countries’ efforts in military peacekeeping, it has the duty to contribute to the global burden of promoting peace and security, for instance, through its peace policy and mediation activities.

Where to engage?	<b>Humanitarian perspective</b>
	• engage where human suffering is greatest
	<b>National Interests</b>
	• engage where there are direct security threats or links to the conflict parties (e.g. diaspora)
	• engage where key players need support
	• engage where there is need for managing global security threats (e.g. regional conflicts)
	<b>Cost effectiveness</b>
	• engage in conflicts which are not overrun
	• engage where you can build on synergies
	<b>What needs to be avoided?</b>
	• Do not engage, where you could do more harm
	• Avoid cherry picking

Second, from the point of view of national interests, direct threats to trade, environment and security, as well as forced migration from close regions are certainly strong determinants for an engagement in states close to Switzerland. However, after the end of the armed conflicts in the Balkans, the indirect threats from insecurity and violence far from home became more important. As a consequence, mediation may be used in coun-

<sup>59</sup> The whole list of criteria including a description may be found in the *Zürcher Beiträge zur Sicherheitspolitik*, Issue 83, p. 121.

tries such as Sudan, Burundi, Nepal, or Sri Lanka in order to improve the security situation there, to reduce the likelihood of global security threats, and to improve conditions for trade. In terms of soft power, mediation makes most sense where it is perceived as beneficial by influential partners. The Swiss engagement in the Armenian-Turkey conflict and in the Iranian nuclear conflict are a case in point: Switzerland was able to engage with the US and EU in the context of joint conflict resolution efforts.

Third, in terms of cost-effectiveness Switzerland should engage where it can make the greatest contribution to peace in relation to the resources invested. This is generally more the case in conflicts that do not get the attention of the international community and newspapers than in those that are already over-run with mediators. Taking synergies into account is also vital in this regard: It would be sensible to work together with Swiss military peacebuilding and development cooperation (3D approach: “diplomacy, defense, development”), in particular in the post-agreement or the implementation phase.

In reality, the various criteria for engaging will be traded off against each other. The result needs to be a balanced portfolio of mediation activities, where different timeframes and interests are put into perspective. Today, there are strong incentives to seek high-visibility conflicts and make their engagements visible soon. This may be harmful for the mediation process. The question of what mediation effort leads to quick and wide spread visibility should not be the guiding one when deciding whether to engage or not. A mediation effort may not be noted until five or ten years later, if ever. Some attempts just fail or even backfire. The respective third party must be ready to take this risk and uphold any on-going engagement even through difficult times.

Mediation, politically speaking, is a risky business. If mediating entities do not take any risks, they may circle around a mediation process, but never get fully engaged. The risks are mainly political rather than financial, as mediation efforts are rather cheap compared to other peacebuilding efforts. Being fully engaged means to take calculated risks and to avoid cherry picking: Credible mediation actors cannot just take the nice, easy, and highly visible cases. A diversity of easy and tough engagements is essential for burden-sharing to be credible. At the same time, while it is necessary to take some calculated risks, it is also vital always to consider the following question: Will the engagement do more harm or not? If there are good reasons to believe that an engagement will do more harm, then one should stay out.

### **How should Switzerland become involved?**

***Key Message: If “added value” is the main criterion, then Switzerland should base its involvement on its comparative advantages: First, being a small, non-threatening, non-aligned, “impartial” state; second, combining topical expertise with process know-how; third, being a state with experience in consensus-oriented democracy and federalism; and fourth, being a state that is able to speak to all relevant conflict parties.***

Switzerland is a small state and needs to cooperate with other entities

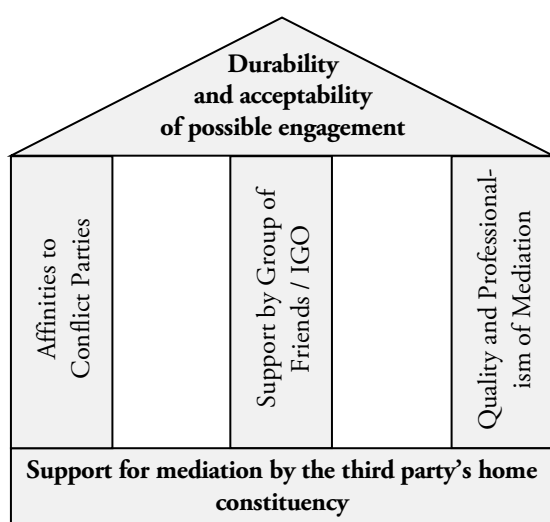
As has been noted by other scholars<sup>60</sup>, small states benefit from the fact that they are not threatening. They are perceived as having less geopolitical interests and pursuing a more value-based approach in mediation. Even if small states do have instrumental motivations to engage in

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<sup>60</sup> Martin, Harriet. Power in mediation: does size matter? Conference Contribution to: *Oslo Forum* 2007.

mediation, the conflict parties do not fear being forced by the mediator to accept deals that would not be favorable to them.

However, this comparative advantage has its flip side. Not being threatening means that the mediator may be dismissed more easily than the US, for instance. As a consequence, the durability of a small state's engagement is not only a matter of domestic support and political will; small states depend much more than large ones on the conflict parties' acceptance and the ability of the mediator to orchestrate some sort of leverage in the international community (see graph 4).



**Graph 4:** Factors influencing the durability of a mediation engagement.

Four factors influence the durability and acceptability of a possible mediation engagement: First, the domestic support a government enjoys for its mediation policy; second, professionalism in mediation; third, support by a community or several communities of states (be it through Groups of Friends or co-mediation); and fourth, the mediating state has affinities to one or more conflict parties (cultural or geographic).

Just because one of these factors may be lacking does not mean that Switzerland should not aim for a lead mediation role. However, in order to strengthen its potential lead mediation role and ensure its durability, Switzerland should aim at

cooperating with IGOs or groups of like-minded states that support its mediation effort and commit the parties to the process. A sustained Swiss lead role in mediation depends heavily on the priority given to mediation and its willingness to take calculated risks in this.<sup>61</sup>

Switzerland may choose to actively promote its mediation services and even a lead mediation role. Alternatively, it can push more for contributing to multi-lateral mediation efforts. Support for UN mediation has increased over the last few years, indicating that this approach has already been set on track. Be it bilateral or multi-lateral engagements, priority should be given to impact-driven engagements and cooperation.

Switzerland combines topical expertise with process know-how

If Switzerland seeks to develop its mediation activities, it should strengthen its capabilities in terms of topical expertise and experts as well as mid-level mediators, and in particular its process know-how. This is all the more important because processes are often shaped by mid-level mediators and not by the chief mediators. Thus, Switzerland may be more effective and make a difference with mid-level contributions. In addition, off-site support by Swiss staff has become increasingly important. While this role does not lead to visibility, it is crucial for the success of a mediation process. Switzerland has already started some substantive efforts with regard to capacity-building for parties, thereby drawing on knowledge such as federalism, power-sharing, democratic institutions, institutional frameworks for minorities, or negotiation and mediation skills and techniques.

<sup>61</sup> *Privatising Peace*. The Economist, 30 July 2011.



Switzerland is ‘non-aligned’ and talks to all actors

Not being a member of the EU has some disadvantages, as Switzerland may lack the support from important like-minded states. From a mediation point of view, though, it has some advantages, too. Both the US and the EU list certain armed non-state actors as “terrorist organizations”, thus obviating all contact with them. The logic of these lists is to isolate and thereby weaken extremist organizations. Switzerland does not have to comply with the regulations related to these lists. It argues that a negotiated settlement is more durable, and may be perceived as more just by the conflict parties, if all relevant stakeholders are included in the process. Switzerland therefore does not list organizations, but only individuals (as was the case for late Osama Bin Laden). This enables Swiss mediators to be in contact with certain armed non-state actors that the EU and the US cannot contact. Interestingly, the states that list certain actors may indeed ask countries like Switzerland or Norway to establish contact with armed non-state actors they cannot get in touch with themselves. Indeed, the principle of talking with all actors, the key logic of mediation, was pushed and adhered to by the head of the Swiss Federal Department of Foreign Affairs (FDFA), Micheline Calmy-Rey, and was viewed by her as one of the best ways to increase Swiss influence internationally.<sup>62</sup>

Switzerland is a democratic state with a durable and consensus-oriented decisionmaking process

A key advantage of the Swiss system is its durable decisionmaking system, which enables long-term planning way beyond a legislature period. For instance, it would be possible to gain popular approval for mediation as a value-based approach (be it formally through additional legislation, or informally through a successful public debate). However, Switzerland also faces limitations in developing a more active foreign policy, due to the highly decentralized nature of the Swiss political system. The current policy seems to be to promote mediation by seeking and publicizing success stories. In the light of the risks that mediation entails, this may lead to a certain support for peace mediation, but greater political leadership and wider and deeper public debates will be needed if Switzerland is to expand its mediation efforts beyond the present level.

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<sup>62</sup> “Stolz bin ich auch auf die Rolle der Schweiz als Vermittlerin. Sie gilt als neutrales Land ohne versteckte Agenda, das mit allen reden kann, den Frieden und Konsens sucht.“ Micheline Calmy-Rey, interviewed by Markus Brotschi. “Weitere vier Jahren kamen für mich nicht infrage” Zürich, Tagesanzeiger 8 September 2011, p 2.

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## Conclusions

The aim of this paper has been to illustrate the complexity of modern peace processes and situate the contributions of various actors within it. While there is a danger of generalizing, there seems to be a spectrum of actors ranging from the UN as a large, powerful, legitimate, but slow and cautious mediator on the one hand, and NGOs as mediators that are fast, flexible, but at times weak and limited in their legitimacy, on the other hand. Small states have a special role to play in this spectrum, as they combine some of the strengths of larger mediation actors with some of the strengths of NGO mediators. The case of Switzerland shows that there is a niche for small states. However, it is not specific to Switzerland only. Rather, the comparative advantages listed are relevant also for other small states with no strong geopolitical interests, such as Sweden, Norway, Holland, Denmark, Finland, or Ireland.

If a small state like Switzerland wants to use and build on its comparative advantages in the field of mediation, it would need to:

- **Clarify its motivation:** Clarify that mediation is ideally motivated by a convergence of values and national interests, especially if a long-term perspective is taken.
- **Take risks:** Develop leadership, domestic support and cross-political consensus on peace mediation to increase Swiss capacity to take calculated risks.
- **Avoid cherry-picking:** Avoid only getting involved in visible and easy cases. All possible resources need to be committed to a mediation engagement for it to be effective.

- **Strategize:** Develop a cross FDFA mediation strategy to better use synergies amongst different actors (e.g. experts, peacebuilding advisors, diplomats, ambassadors, State Secretary, Federal Councilors), and thereby focus efforts and increase impact.
- **Professionalize:** Build up human expertise, investing in long-term mediation training and career management, as well as developing more flexible structures to facilitate professional rotation and knowledge transfer.
- **Coordinate:** Focus on greater coordination among mediators, for example among like-minded small states, or co-mediating with complementary mediators.
- **Communicate:** Support the communication and debate about mediation, focusing on the convergence of interests, potentials and limits of mediation and the necessary long-term time frame.

The above mapping of mediators' shows there is a role for Switzerland to play, and the outlined seven steps would help to build on the already existing comparative advantages. Whether a state makes use of these advantages by engaging in mediation, or chooses other foreign-policy tools (e.g., participation in military peacekeeping or peace enforcement interventions), or a combination thereof, is ultimately a political decision. Whatever this decision entails, the result should be an independent yet cooperative contribution to today's global challenges – free-riding on the peace and security efforts of other states is not an ethical option.

## Annex 1: List of engagements by the 16 most frequently involved states (figure no. 3)

Conflict	State	Total Number of Years Acting as Mediator															
		Egypt	Sweden	Nigeria	Portugal	Algeria	UK	Ukraine	Uganda	Libya	Kenya	South Africa	Switzerland	Norway	France	Russia	USA
Conflict	Total	12	12	13	13	13	13	15	16	18	19	20	21	27	45	67	84
Afghanistan (government)																	2
Algeria (government)							1										
Angola (Cabinda)															1		
Angola (government)					5											6	6
Azerbaijan (Nagorno-Karabakh)			1												12	15	12
Bosnia and Herzegovina (Croat)							1								1	1	1
Bosnia and Herzegovina (Serb)							1								1	2	2
Burundi (government)									3		2	9	3				
Cameroon-Nigeria							1								1		1
Chad (government)										4					1		
Colombia (government)			2										5	3	2		
Comoros (Anjouan)												1					
Congo (government)						1						1					
Croatia (Serb)																2	2
DRC (government)				1						2		6					1
Djibouti (government)															2		
Ecuador-Peru																	4
Eritrea-Ethiopia						1				1							4
Ethiopia (Ogaden)							1				1						
Georgia (Abkhazia)													1			5	
Georgia (government)																1	
Georgia (South Ossetia)																11	
Guatemala (government)			1											2			1
Guinea (government)				2													
Guinea Bissau (government)			1		1										1		
Haiti (government)															1		2
India - Pakistan																	1
India (Nagaland)															1		
Indonesia (Aceh)			2										3				1
Indonesia (East Timor)					7												
Israel (Palestine)		8	3										2	4		3	12
Israel (Southern Lebanon)															1		3
Ivory Coast (government)				1								2			4		
Liberia (government)				4													
Macedonia (government)																	1
Mali (Azawad)						5									1		
Moldova (Dniestr)								15								16	4
Mozambique (government)							1								1		1
Nepal (government)													3				
Niger (Air and Azawad)						2				1					2		
Niger (Eastern Niger)						1				1					1		
Niger (government)						2				2					2		
Pakistan (government)																	1
Philippines (government)														4			
Philippines (Mindanao)							1			7							
Rwanda (government)		1		1					1						2		2
Senegal (Casamance)															2		
Sierra Leone (government)				1			1										1
Somalia (government)		3	2	2			1		3		5			2	2		3
Spain (Basque)						1							1				
Sri Lanka (Eelam)														8			1
Sudan (government)				1			1		9		9		1	1	1		1
Tajikistan (government)																3	
Uganda (government)							2				2	1	2	3			3
UK (Northern Ireland)																	9
Yemen (South Yemen)															1	1	1
Yugoslavia (Kosovo)							1								1	1	1





**The Center for Security Studies, ETH Zurich** specialises in research, teaching, and the provision of electronic services in international and Swiss security policy. An academic institute with a major think-tank capacity, it has a wide network of partners. The CSS is part of the Center for Comparative and International Studies (CIS), which includes the political science chairs of ETH Zurich and the University of Zurich. ([www.css.ethz.ch](http://www.css.ethz.ch))

**The Mediation Support Project (MSP)** was founded in 2005 as a joint venture between the Swiss Peace Foundation ([swisspeace](http://swisspeace.ch)) and the Center for Security Studies (CSS) at the ETH Zurich. The Swiss Federal Department of Foreign Affairs is the initiator and main partner of MSP. MSP supports mediators and conflict parties in gaining knowledge and skills for effective peace negotiations.

Further related publications are available at [www.isn.ethz.ch](http://www.isn.ethz.ch) and [www.peacemediation.ch](http://www.peacemediation.ch):

- Mediating Tensions over Islam in Denmark, Holland, and Switzerland
- Money Makers as Peace Makers? The Role of Business Actors in Mediation Processes
- Transforming Conflicts with Religious Dimensions: Methodologies and Practical Experiences
- Debriefing Mediators to Learn from Their Experiences
- Insider Mediators - Exploring Their Key Role in Informal Peace Processes
- The Tormented Triangle: The Regionalisation of Conflict in Sudan, Chad and the Central African Republic
- To Be a Negotiator: Strategies and Tactics
- Mediation Essentials: Business Actors in Mediation Processes
- Mediation Essentials: Decentralization, Special Territorial Autonomy, and Peace Negotiations
- Mediation Essentials: Dealing with the Past in Peace Mediation
- Mediation Essentials: Federalism and Peace Mediation
- Mediation Essentials: Gender and Peace Mediation
- Towards Realizing the Strengths and Mitigating the Challenges of NGO Mediators
- Unpacking the Mystery of Mediation in African Peace Processes
- Linking Environment and Conflict Prevention – the role of the United Nations
- Tools for Building Confidence on the Korean Peninsula
- Mediation and Facilitation in Peace Processes
- Conflict analysis tools