

MEDIATION AND DIALOGUE AS TOOLS FOR EU CSDP MISSIONS

Catriona Gourlay

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ACRONYMS

AMM	EU Aceh Monitoring Mission
AU	African Union
CFSP	Common Foreign and Security Policy
CIMIC	Civil-Military Cooperation
CMCO	Civilian Military Cooperation
CMPD	Crisis Management and Planning Directorate
CSDP	Common Security and Defence Policy
DDR	Disarmament, demobilisation and reintegration
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
EEAS	European External Action Service
ESDP	European Security and Defence Policy
EUBAM	EU Border Assistance Mission
EUFOR Chad/CAR	EU Mission in Chad and the Central African Republic
EUFOR RD Congo	EU Military Force to the DRC
EULEX	EU Rule of Law Mission in Kosovo
EUMM	EU Monitoring Mission in Georgia
EUPM BiH	EU Police Mission in Bosnia and Herzegovina
EUPOL Afghanistan	EU Police Mission to Afghanistan
EUPOL COPPS	EU Police Mission in the Palestinian Territories
EUSEC RD Congo	EU Security Sector Reform Mission in the DRC
EUSRs	EU Special Representatives
FYROM	Former Yugoslav Republic of Macedonia
GAM	Free Aceh Movement
GoI	Government of Indonesia
IDPs	Internally displaced persons
IfP	Initiative for Peacebuilding
IPRM	Incidence Prevention and Response Mechanism
MONUC	UN Mission in the DRC
NGOs	Non-governmental organisations
SRSGs	Special Representatives of the Secretary-General
SSR	Security sector reform
UNMIK	UN Interim Administration Mission in Kosovo

EXECUTIVE SUMMARY

EU policy commitments testify to the EU's growing ambition to support peace processes, including by enhancing capacities for mediation and dialogue. *'The EU Concept on strengthening EU mediation and dialogue capacities'* (2009) introduces proposals on how to strengthen the EU's capacity to support EU and EU-backed mediators engaged in formal high-level conflict-resolution talks (Track I). It also identifies mediation as an 'EU policy tool' that can 'be mainstreamed into other EU conflict prevention and crisis management activities, where relevant'.

Implicit in the EU Concept is the notion that Common Security and Defence Policy (CSDP) missions are only *indirectly* relevant to formal Track I mediation efforts. They nevertheless play a supportive role and have the potential to build confidence between local actors through "mediation-relevant" tasks. It follows from this view that mediation and dialogue *skills* are seen as most relevant at the field or tactical level, where personnel are directly engaged with local actors. This contrasts with UN policy, which recognises that mediation is required throughout the process of implementing a peace agreement and that mission leadership is often involved in dispute resolution even if it is not part of their formal mandate.

Feedback from staff employed in CSDP missions also testifies to the demand for mediation and dialogue skills at both strategic and field levels. Some CSDP missions support formal dispute-resolution mechanisms relating to security – such as in EU Monitoring Mission in Georgia (EUMM). In other cases, mission leadership has engaged in informal high-level dispute resolution (EU Aceh Monitoring Mission – AMM) in Indonesia and EU Police Mission in Bosnia and Herzegovina (EUPM BiH), while the majority of missions engage in informal dialogue and sometimes dispute resolution at the working level (Track I.5 and II). Mission staff also indicate that dialogue and mediation training is considered relevant for ensuring 'conflict sensitivity' at the field level, and some see potential for missions to take on additional tasks in support of local conflict-resolution capacities or (facilitated) dialogue at the community level.

In so far as missions depend on strong working relationships within the mission and with other international actors, as well as local ones, the *skills* of dialogue and mediation are also seen as critical for mission implementation. For example, dialogue with the international humanitarian community was mission critical in the EU Mission in Chad and the Central African Republic (EUFOR Chad/CAR). Yet the practice of dialogue with external actors is often marginalised in CSDP structures, planning and organisational culture. There are few opportunities for dialogue in planning, and during implementation the use of dialogue is associated mainly with individuals with formal "liaison" or "communication" functions.

These findings suggest that, while the tools of mediation and dialogue are relevant to CSDP in a number of ways and at multiple levels, missions are not typically designed or equipped to use them to maximum effect. The following recommendations aim to address this by strengthening political and mediation support functions, training and guidance for CSDP missions. They also aim to improve the linkage between CSDP and other EU external political and aid instruments so that CSDP missions are better informed by, and able to engage in, longer-term processes of mediation and dialogue that have a potentially transformative impact on state-society relations and capacities.

Recommendations for strengthening mediation and dialogue capacities in CSDP missions:

- *Provide robust in-mission political support to CSDP leadership*
All missions should have political advisory units with a mandate to proactively conduct liaison functions and ensure that missions employ conflict-sensitive language. In missions that are linked to monitoring and

supporting peace processes, or which have a dispute-resolution function, these units should include advisers with process design and conflict-management expertise.

- *Include CSDP in plans for mediation support*

The EU Concept states that the EU will explore the feasibility of establishing a roster of experts with relevant mediation expertise (possibly together with the UN). CSDP missions should be included in these plans as an institutional actor eligible for their deployment.

- *Develop guidance on supporting local dispute-resolution mechanisms*

The EU should develop guidance for all staff working in fragile contexts on how to support local dispute-resolution capacities and mechanisms. This should draw on past experience and lessons learned in the context of EU and UN operations.

- *Integrate conflict analysis, cultural sensitivity, and dialogue and mediation skills into in-mission training*

All staff that represent the EU in fragile contexts should receive the opportunity for basic training on conflict analysis and management skills. Although relevant behavioural skills cannot be learned in such a short time, this training should serve to raise awareness of the value of cultural and conflict-sensitive behaviour.

Recommendations to strengthen CSDP linkage with political and development interventions so as to better support peace processes:

- *Increase Common Foreign and Security Policy (CFSP) engagement in early planning for CSDP*

To help ensure that strategic options for CSDP missions are based on more extensive dialogue with local stakeholders, in-country EU actors should become more active in the strategic planning process, including by supporting multitrack dialogue processes.

- *Increase opportunities for European External Action Service (EEAS) staff deployment to CSDP missions*

There is broad recognition that the EEAS would benefit from a “cadre” of qualified conflict specialists who might serve to provide political advice to the EU’s external offices and operations. This should be actively pursued, so that CSDP missions could also benefit from the advice of career professionals with experience in supporting peace processes.

- *Strengthen opportunities for informal dialogue in-country*

Evidence suggests that the “coherence challenge” is best addressed at country level. Regular informal meetings can help generate shared political analysis and synchronise activities towards common objectives. It is also essential for preparing viable exit strategies for CSDP missions. Developing informal mechanisms and habits of dialogue should be a priority for all EU actors, including CSDP missions.

- *Increase opportunities for in-country senior leadership training in mediation*

Senior leadership training in mediation and dialogue processes can serve to enhance individual learning as well as provide additional opportunities for strengthening cooperation between the leadership of different external institutional actors. For this reason, EU leadership in fragile contexts should be offered specialised training in mediation and dialogue. This should be open to all relevant senior leadership in-country (including EU, UN, African Union (AU) and representatives from member states and some non-governmental organisations (NGOs)), in line with existing commitments to strengthen EU-UN cooperation in crisis management.

INTRODUCTION

EU policy commitments testify to its growing ambition to support peace processes, including by enhancing capacities for mediation and dialogue. This ambition was made explicit in the 2008 review of the European Security Strategy,¹ which stated:

Preventing threats from becoming sources of conflict early on must be at the heart of our approach. Peace-building and long-term poverty reduction are essential to this. Each situation requires coherent use of our instruments, including political, diplomatic, development, humanitarian, crisis response, economic and trade co-operation, and civilian and military crisis management. We should also expand our dialogue and mediation capacities.

To follow up the European Security Strategy review, in 2009 the EU agreed a *Concept on strengthening EU mediation and dialogue capacities*.² It provided a policy basis for EU engagement in mediation and dialogue and introduced proposals on how to strengthen the EU's capacity to support EU and EU-backed mediators.

The EU Concept uses a broad definition of mediation, which encompasses mediation,³ facilitation⁴ and dialogue,⁵ all of which aim to support communication between parties. Using this broad definition, it identifies mediation as an 'EU policy tool' that can be 'used as a tool of first response to emerging or ongoing crisis situations' and that can also 'be mainstreamed into other EU conflict prevention and crisis management activities, where relevant'.

While the EU Concept identifies how EU political actors can serve as lead or co-mediators in formal negotiation processes and how the European Commission can provide assistance and technical expertise to support formal or informal dialogue or mediation efforts led by others, it provides little detail on why and how dialogue and mediation are relevant to Common Security and Defence Policy (CSDP) missions. It does, however, advance the recommendations that 'the mandates of ESDP [European Security and Defence Policy] missions should, where relevant, include mediation-related tasks' and that 'basic [dialogue and mediation] training should be included in the training offered to ESDP missions'.

This paper builds on the EU Concept. It aims to identify how dialogue and mediation are relevant to CSDP missions, what "mediation-relevant" roles CSDP missions can play, and how the conduct of these roles might be further enhanced. In this way, it seeks to complement ongoing efforts to implement the EU Concept, including the work of the informal Mediation Support Group.⁶

1 European Council (2008). *Report on the implementation of the European Security Strategy: Providing security in a changing world*.

2 European Council (2009). *Concept on strengthening EU mediation and dialogue capacities*. Doc. 15779/09.

3 The EU Concept states that 'Mediation is usually based on a formal mandate from the parties to a conflict, and the mediator gets involved both in the process and substance of the negotiations by making suggestions and proposals'.

4 The EU Concept defines facilitation as 'similar to mediation, but less directive, and less involved in shaping the substance of negotiations'.

5 The EU Concept defines dialogue as 'an open-ended process which aims primarily at creating a culture of communication and search for common ground, leading to confidence-building and improved interpersonal understanding among representatives of opposing parties which, in turn, can help to prevent conflict and be a means in reconciliation and peace-building processes'.

6 This group has been established as a focal point for coordinating activities to implement the EU Concept and consists of representatives of the Council Secretariat and the Commission.

TYOLOGIES OF DIALOGUE AND MEDIATION

Although the EU Concept states that it will use the term ‘mediation’ broadly – in a way that encompasses all forms of mediation and dialogue – in practice, EU officials tend to have a more limited understanding of the term that is associated with formal high-level negotiations. To avoid confusion and to explain which forms of mediation and dialogue may be relevant for CSDP, this report begins with a brief summary of the typologies of mediation and dialogue. This draws on previous work conducted in the framework of the Initiative for Peacebuilding (IfP), notably the synthesis report *Engaging the EU in mediation and dialogue*.⁷

In the context of conflict resolution and peacebuilding, dialogue and mediation are considered important tools for political and social change. Yet they often describe processes with widely different qualities relating to “how” mediation and dialogue is practised – the form or style of third-party intervention – and “who” the parties are, or the “level” of engagement. The IfP distinguishes between three principal approaches to “how” mediation is practised:

- *Power-based, deal-brokering mediation*

This is characterised by mediators bringing power to bear on the parties, including through the promise or threat of positive or negative incentives. Mediators play a “directive” role, engaging in matters of both process and substance. The EU is often associated with this form of mediation, for example on account of the role its political representatives have played in formal peace negotiations.⁸

- *Interest-based, problem-solving mediation*

Interest-based mediators focus on facilitating processes that generate options for an agreement which satisfy the underlying interests of all parties. The mediator acts as a guardian of the process, and sometimes also makes contributions on substance. The European Commission has a track record of supporting this form of mediation, typically led by other international organisations or specialist non-governmental organisations (NGOs).⁹

- *Transformative, long-term mediation/dialogue*

Third parties can also mediate or facilitate processes that aim to improve understanding, build relationships and trust and generate new solutions. Mediation is normally used to refer to talks with the aim of reaching a decision or settlement of a dispute while this is not necessarily the case for facilitated dialogue. In both cases,

7 A. Herrberg, with C. Gündüz and L. Davis (2009). *Engaging the EU in mediation and dialogue: Reflections and recommendations*. Initiative for Peacebuilding - Mediation Cluster.

8 Some illustrative examples include: Joint US/EU mediation team of Javier Solana, Francois Léotard (F) and James Pardew (US) in reaching the Former Yugoslav Republic of Macedonia (FYROM) Ohrid Agreement (2001); Solana and Kwasniewski (P) mediation team in the Ukrainian Orange Revolution (2004); EU Special Representative (EUSR) engagement in status talks for Kosovo (2006–08); Sarkhozy/Kouchner brokerage of ceasefire agreement in the Georgian-Russian conflict (2008).

9 Examples of interest-based forms of mediation that received support from the European Commission include: mediation by former Finnish President Martti Ahtisaari with the Crisis Management Initiative (NGO) that led to the Aceh Peace Agreement (2005); mediation by Economic Community of West African States (ECOWAS) in Liberia (the Accra Peace Conference); Organisation of African Unity (OAU) mediation in Burundi (Arusha Peace Agreement); UN mediation in Colombia; the Quartet in the Middle East peace process; and mediation by Norway in Sri Lanka. Commission Heads of Delegation have also sometimes played formal roles in mediation processes, for example, in the negotiation of the Accord Politique Globale in Togo.

however, the aim is to shift the quality of communication from the level of positions to underlying interests.¹⁰ Within the EU, transformative mediation/dialogue is often associated with European Commission support for local dispute-resolution/conflict-prevention efforts or with long-term efforts to promote social cohesion and/or reconciliation in conflict-affected contexts.¹¹

Just as the form of third-party intervention can vary from directive to supportive, the characteristics of mediation and dialogue processes will depend heavily on who is involved and how the processes are structured. The IfP therefore makes a distinction between formal and informal processes and between levels of engagement with different sets of actors. For example, Track I describes high-level formal political talks involving the conflict parties. Track I.5 talks can be informal and involve influential leaders from state and society, for example clergy, business, military and parliamentarians. These actors are not involved in formal high-level talks but have the ability to impact the dynamics of Track I talks. Track II typically refers to public processes involving talks between non-governmental leaders and Track III to more local civil society or “grassroots” actors.

Whereas Track I official talks are often associated with power-based mediation, Track I.5, II or III talks are often associated with informal interest-based or transformative mediation. Informality makes it easier to include politically marginalised or vulnerable groups, which in turn contributes to their transformative impact. It is common in conflict-affected contexts for there to be multiple forms of mediation and dialogue in play at any one time. In theory,¹² these should be mutually reinforcing, with Track I.5, II and III processes serving to build confidence, strengthen relationships and generate ideas and/or support for official Track I talks between political leaders.

CSDP missions also engage at different levels of the political and social spectrum. At the strategic level, mission leadership may engage directly with local political or government leaders, yet they are not typically involved in formal Track I talks. The majority of missions require that mission personnel forge constructive working partnerships with government officials as well as with other external partners. Where missions are deployed in contexts where there is a high degree of social/political unrest, they sometimes engage in dispute resolution between conflict parties at the community level. This suggests that CSDP missions are most relevant to, and have the greatest potential to impact, Track I.5-, II- and III-level mediation through their engagement with government officials, as well as diverse stakeholders from civil society.

10 It is, however, often difficult to make a clear distinction between mediation and dialogue on the basis of outputs, because some dialogue processes deliver agreements, while some mediated processes do not. Moreover, skilled mediators/facilitators often adjust their intervention style according to the dynamics “in the room”. Where parties are not willing, or it is difficult for them, to communicate directly, they communicate via a third-party mediator. Where direct dialogue is possible, a facilitator can help create safe spaces for dialogue and can help steer the conversations towards common ground. In practice, the style of third-party intervention can change from mediation to facilitation or vice versa, and many negotiation processes combine informal dialogue with more formal mediated talks.

11 The EU (funding) Instrument for Stability and the European Initiative for Democracy and Human Rights have both been used to support third-party mediation or to facilitate processes of dialogue.

12 This is, for example, in line with Louise Diamond’s work on ‘Multi-Track Diplomacy’ (see <http://www.imtd.org>) or Lederach’s work on ‘transformative peacebuilding’. See J. P. Lederach (1997). *Building peace*. United States: Institute for Peace.

RELEVANCE OF MEDIATION FOR CSDP

RELEVANCE OF MEDIATION FOR CSDP AND THE EU CONCEPT

The EU Concept attributes politically transformational roles to CSDP missions, stating, for example, that ESDP missions ‘serve as a useful means of fostering political reconciliation, strengthening the rule of law and facilitating the implementation of peace agreements’. It also states that ESDP missions ‘play an important role in consolidating and sustaining peace processes and their outcomes’. In other words, the EU Concept recognises that EU missions have the potential to support a peace process through the conditions they help create.

The EU Concept also clarifies that CSDP missions do not directly engage in formal Track I peace talks. While it confirms that EU political actors (notably the High Representative for Common Foreign and Security Policy (CFSP) and EU Special Representatives (EUSRs)) are engaged ‘at the highest political level’ in a host of mediation- and dialogue-related tasks,¹³ it also states that CSDP missions ‘are frequently engaged with local political and civil society actors in activities of a mediating and confidence-building nature’. The EU Concept therefore also implies that CSDP missions have the greatest potential to engage in mediation-relevant tasks *below* the Track I level and that, in doing so, they help create conditions which are conducive to constructive Track I-level talks.

Implicit in the EU Concept, therefore, is the notion that CSDP missions are only *indirectly* relevant to formal Track I mediation efforts. They nevertheless play a supportive role and have the potential to build confidence between local actors through “mediation-relevant” tasks. It follows from this view that mediation and dialogue *skills* are seen as most relevant at the field or tactical level, where personnel are directly engaged with local actors. Interviews further confirm this common perception. For instance, when asked about his professional experiences of mediation or facilitation, a former head of an EU (military) mission stated: ‘I did not get a particular experience of mediation skills during the Operation [...] as far as I was the Operation Commander (strategic level) and I was not deployed in the field’.¹⁴ Similarly, in a 2009 workshop on mediation and ESDP,¹⁵ EU officials identified mediation and dialogue as skills that should assist the implementation of CSDP missions by ‘building bridges’ at the community level. Some also stressed the importance of mediation skills for field officers so as to ensure ‘informed and conflict-sensitive’ interaction with local actors and to ‘manage’ or ‘de-escalate’ local tensions.

COMPARISON WITH HOW THE UN VIEWS MEDIATION AND PEACE OPERATIONS

Within the UN, there has also been a growing awareness of the importance of mediation and dialogue skills and capacities for UN actors engaged in peacemaking, peacekeeping and peacebuilding. As in the EU, the focus of UN mediation and dialogue capacity-building efforts has been on UN political and development actors, with efforts targeted at increasing the capacity of in-country UN leadership. This has involved, for example, including advisers with mediation expertise in leadership teams of Special Representatives of the Secretary-General (SRSGs) and deploying Peace and Development Advisers (with expertise in designing multilevel

13 The EU Concept identifies these tasks as ‘supporting stabilisation and conciliation processes, contributing to initiatives leading to settlement of conflicts and to negotiation and implementation of peace and cease fire agreements, facilitating and maintaining close contact with all the parties’, and calls for mandates for EUSRs to also include support to mediation processes led by others.

14 Interview, head of EU (military) mission, 7th May 2010.

15 Workshop on ‘Mediation as a tool for ESDP Missions’, hosted by the Crisis Management Initiative, Brussels, 24th November 2009.

dialogue and mediation processes) in UN country teams. The Mediation Support Unit in the Department of Political Affairs (DPA) also provides backstop or surge support to enhance mediation expertise and capacity where and when it is most needed.¹⁶

UN policy also recognises that the leadership of the Department of Peacekeeping Operations (DPKO)-led peace operations must be politically astute, and that mediation and negotiation skills are required throughout implementation. This message is evident in the 2009 *Report of the Secretary-General on enhancing mediation and its support activities*, which states:

Mediation does not end once an agreement is signed. Formal and informal good offices or mediation are required throughout implementation. Different aspects of the agreement, such as restoration of security and basic services; disarmament, demobilization and reintegration; return of refugees and internally displaced persons; promotion of human rights; security sector reform; child protection; adoption of a constitution; holding of elections; rebuilding institutions; establishing traditional justice mechanisms; and restarting the economy, are addressed at different times and details need to be negotiated and carefully sequenced. Understanding parties' interests and seeking innovative ways to address their concerns is as important in this context as in any other.¹⁷

The Secretary-General's report also acknowledges that UN mission leadership is often involved in dispute resolution even if it is not part of its formal mandate. It states: 'When a significant breakdown in implementation occurs, heads of mission are often compelled to devote more time and energy to resolving the crisis'.¹⁸ In addition, the Secretary-General's report notes that some UN (political) missions, including the UN integrated offices in Burundi and Sierra Leone, have invested in supporting the development of local and national dispute-resolution mechanisms in parallel with their efforts to strengthen rule of law and security sector institutions.¹⁹

UN policy therefore differs from the EU Concept in so far as it highlights that mediation is required during the implementation of peace operations and that mission leadership is, in practice, often required to (informally) mediate or facilitate dialogue, especially where implementation is threatened by political disputes. For this reason, the UN is also preparing to develop capacities for mediation support for peace operations. In addition, some UN political missions are also actively involved in promoting national and local dispute resolution, on the basis that it complements their work in strengthening justice and security institutions and capacities.

UN experience and policy suggests that mediation and dialogue may also be relevant tools for CSDP mission leadership as well as for field officers. To help assess the extent to which this is already the case, the following section briefly highlights how past ESDP missions have drawn on mediation and dialogue skills in their work.

16 The Mediation Support Unit in the Department of Political Affairs (DPA) has expertise in thematic areas and process design and provides support to assessment and planning for missions designed to support peace processes (before and after the signing of an agreement).

17 UN Secretary-General (2009). *Report of the Secretary-General on enhancing mediation and its support activities*. Doc. S/2009/189. para.44.

18 *Ibid.* para.45.

19 Within the UN system, UN Development Programme (UNDP) and DPA are the leading actors in building national capacity for conflict prevention and dispute resolution. They do so, for example, by placing peace and development advisers in UN Country Teams and by supporting, through UNDP programmes, district, regional and national architecture for dispute resolution, including "peace councils" that aim to prevent local tensions from escalating.

CSDP AND THE USE OF MEDIATION AND DIALOGUE IN PRACTICE

CSDP missions are designed to achieve conditions that, in line with EU foreign policy, are seen as conducive to achieving political settlement, to implementing the provisions of a peace agreement or to sustaining confidence in the peace process. Their mandates can also shift over time.²⁰ While they are all mandated to affect change in the context of the particular conflict, they are rarely authorised to do so using the tools of mediation and dialogue in the context of formal Track I talks.²¹

There is no single model regarding how CSDP missions utilise the skills of dialogue and mediation in mission planning and implementation. The extent to which these tools have been utilised is linked to mission mandates, the nature of the EU “political” presence on the ground, the style of mission leadership and the specific political context in which the mission operates.

Drawing on feedback from mission personnel,²² this section aims to capture some of the different ways in which EU missions have utilised mediation and dialogue skills, and to report perceived challenges and gaps in these capacities. In this way, it also aims to identify the extent to which CSDP does or has the potential to contribute to Track I.5, II or III mediation. The following sections examine: missions with mandates that aim to monitor and support the implementation of a peace agreement; missions with a mandate to build capacity in the area of security and justice; missions with a security sector reform (SSR) mandate; and military missions with civil-protection mandates.

MONITORING MISSIONS WITH A MANDATE TO SUPPORT THE IMPLEMENTATION OF A PEACE AGREEMENT

Interviews confirm that mediation and dialogue skills are perceived as most necessary in missions with a mandate to monitor and help implement (aspects of) a peace agreement. Examples of such missions include the EU Aceh Monitoring Mission (AMM) and the EU Monitoring Mission in Georgia (EUMM). Interviews also suggest that AMM and EUMM owed much of their success to the quality of mission leadership, their personal commitment to dialogue and their talented use of listening and mediation skills. For instance, in the case of AMM, some argue that the personal qualities of the Head of Mission, Pieter Feith, and in particular his patience and commitment to listening and understanding the position of both parties, was critical to maintaining their confidence and commitment to the challenging disarmament and demobilisation

20 For example, while the mandate of the EU Military Force to the Democratic Republic of Congo (EUFOR RD Congo) mission initially related to promoting nationwide defence reform in 2006, in 2008 it acquired a new mandate to assist the EUSR in implementing aspects of the Goma agreements, particularly in relation to the disarmament, demobilisation and reintegration of armed groups. Similarly, the mandates of EU Police Missions in the DRC have shifted over time. For example, in 2006 EUPOL Kinshasa focused on building the capacity of an integrated police unit in Kinshasa. This mission was followed in 2007 by EUPOL RD Congo which was mandated to provide support for national police reform, and is deployed in Kinshasa, Bukavu and Goma.

21 For discussion of the role of the EU Police Mission in Bosnia and Herzegovina (EUPM BiH) in police reform negotiations, see ‘Seminar on police reform in Bosnia and Herzegovina’ Report, Centre for European Perspective, June 2008. Available at <http://www.eupm.org/FCKeditor/Images/File/CEP%20brosura%20EN.pdf>.

22 The research involved telephone interviews with 13 mission staff from seven EU missions, conducted between 5th and 21st May 2010. This is evidently far from a comprehensive review, and to maintain confidentiality of sources the level of detail about particular events is limited.

process.²³ Similarly, the Head of Mission of EUMM, Hansjörg Haber, received praise during interviews for his diplomatic and confidence-inspiring facilitation of the Incidence Prevention and Response Mechanism (IPRM). Furthermore, this dispute-resolution mechanism is a good example of how dialogue and mediation tools can be built into mission tasks (see Box 1).

Box 1. The Incidence Prevention and Response Mechanism (IPRM)

The idea for a cooperation mechanism between law-enforcement agencies on both sides of the administrative borders between Georgia and South Ossetia and Abkhazia was not included in the original mission mandate of September 2008. It was taken up in the subsequent Geneva talks between the parties to the conflict.²⁴ The IPRM provides a framework for regular meetings of the parties to the conflicts as well as the international actors involved to discuss the security situation in the conflict zones. It was established in February 2009 and the Head of EUMM serves as a facilitator at some of its meetings.

In the case of AMM and EUMM, mission leadership clearly made deft use of mediation and dialogue skills to implement their mandates. This was particularly pronounced in the case of AMM because the Head of Mission also served as the EU's principal political representative.²⁵ This suggests that, where EUSRs are *not* deployed alongside EU CSDP missions, it is all the more important that the Head of Mission play a proactive role in engaging the parties in the peace process at the highest level. This should help ensure that the mission is conducted in a way that sustains and reinforces parties' commitment to the implementation process.

This is not to suggest, however, that CSDP missions are structured to support the conflict parties' engagement in the formal peace process. In Aceh, for example, part of the mission's mandate was to establish and maintain liaison and good cooperation with the parties. While AMM dedicated a number of staff to serve as representatives to the Government of Indonesia (GoI), there was no formal liaison function for the Free Aceh Movement (GAM). While this was later partially addressed with the assignment of a "focal point" for GAM within AMM, GAM apparently perceived this structural weighting of mission liaison functions towards the host nation government as a formal indication that the mission did not deal with both sides equally. The mission's structure therefore inadvertently created perceptions of unequal treatment, which threatened GAM's acceptance of the EU's role as guardian of the implementation process.

AMM also highlighted the challenge of how to support parties' engagement in the implementation of a peace agreement in other ways. There was, for example, no agreement within the mission as to whether and how to engage with the conflict parties in order to help explain the process or the significance of a critical piece of national legislation. Legal opinion argued that such unforeseen "technical assistance" would compromise mission impartiality since it was only requested by one party, while political advisers argued that it was critical to sustaining GAM's engagement in implementing the peace agreement.²⁶ The AMM case therefore points to the need for more guidance for mission personnel on how to share expertise relevant to maintaining the parties' engagement and confidence in the implementation of a peace agreement.²⁷

The challenge of maintaining the parties' engagement in the implementation of a peace agreement is of a different order for EUMM. EUMM is mandated to monitor the 2008 ceasefire agreements, but Russia's consolidation of its military presence in the regions of Abkhazia and South Ossetia is in contravention of them. The EU's position on the territorial integrity of Georgia is also at odds with Russian recognition of the independence of Abkhazia and South Ossetia. This has meant that, although the mission's mandate extends over the entire territory of Georgia, including the breakaway regions, in practice, it has only been able to gain access to Georgian-controlled territories. Given that EUMM is widely associated with the Georgian side in the conflict, it has not been in a

23 Head of Mission Pieter Feith's close relationship with the mediator Martti Ahtisaari also meant that he was well briefed about the agreement, the Memorandum of Understanding.

24 The EU is represented by the EUSR, Pierre Morel, and the EUMM Head of Mission attends as an observer and provides field knowledge and support to the EUSR.

25 There was no EUSR for Aceh and the European Commission Delegation in Jakarta did not play a political role in the region.

26 In this case, the Memorandum of Understanding between the GoI and GAM concluded in Helsinki on 15th August 2005.

27 Some suggested that this could be achieved by including political advisers or peace process support teams (with experience in peace process design and support) within CSDP missions.

position to talk to, let alone mediate between, all parties to the conflict outside the framework of the IPRM. Its ability to carry out its confidence-building mandate is also evidently geographically limited, and takes the form of a proactive approach to community outreach, which serves to partly allay Georgian security fears.²⁸

The EU's experience of mediation in the Georgian conflicts demonstrates the limitations of engaging Russia and Georgia in the peace process using a power-based approach to mediation.²⁹ Nevertheless, EUMM has been able to successfully practise dispute resolution (using an interest-based approach to mediation) in the context of the IPRM. This not only confirms the utility of incorporating dispute-resolution tasks within mission mandates, but also underlines that different styles of mediation intervention are appropriate to different levels and different actors.

The experiences of EUMM officials also point to the relevance of mediation skills in handling delicate situations at the grassroots or community level. One EUMM official emphasised the importance of knowing 'who was who, what were their interests and concerns', in order to manage the complex dynamics that played out between a mix of civilian and military or police personnel at border checkpoints. Another patrol leader noted simply that, 'where a large proportion of the people you deal with have been traumatised, confrontations arise frequently and require sensitive handling'. Similarly, one field officer provided examples to illustrate how local knowledge and strong interpersonal and listening skills helped identify opportunities for confidence-building initiatives. He stated that 'it is important to be able to perceive and understand signals or discreet messages and to know how to relay them in an appropriate way'. Conversely, one official stressed the importance of listening and dialogue skills for maintaining mission integrity when dealing with provocative probing from journalists or political activists.

All EUMM staff interviewed felt the mission would benefit from in-mission training that served to prepare staff for these challenges. Few used the term 'mediation training' since they associated the term mediation with high-level formal peace negotiations. Rather, some called for training in 'conflict awareness', 'situation awareness' or 'conflict sensitivity'. More specifically, some argued that this training should include a conflict-analysis component as well as an interactive skills-building component, designed to simulate some of the situational challenges personnel might face.³⁰

EUMM personnel also gave examples of how effective management within the mission required strong facilitation or mediation skills. One former team leader argued that one of the mission's strengths is that it deploys a mix of civilian, police and military personnel – all with relevant areas of expertise. However, he noted that managing this mix of professional cultures was the biggest operational challenge for any team leader.

Another official suggested that EUMM had the potential to play a more proactive role in identifying and supporting local mediation and dialogue capacities. In the context of monitoring the return of internally displaced persons (IDPs), she argued that the mission could help support nascent community-level mechanisms for problem solving and that this would, in turn, contribute to the mission's stabilisation objectives.

MISSIONS WITH A MANDATE TO BUILD CAPACITY IN THE AREA OF SECURITY AND JUSTICE

The majority of civilian EU missions have had a mandate linked to state-building objectives. This is also commonly seen as the principal role of civilian CSDP. For instance, the 2003 European Security Strategy states that civilian missions 'help restore civil government'. These capacity-building functions nevertheless take place in a conflict or post-conflict context and their mandates are inevitably linked to EU foreign policy priorities and visions of how best to support peace processes.

In the case of the EU Police Mission in the Palestinian Territories (EUPOL COPPS), for example, the mission is predicated on the assumption that building an effective Palestinian state apparatus and police service is a

28 Given the limited ability of EUMM to implement its confidence-building mandate across the disputed territories, the EU has supported a number of confidence-building projects implemented by NGOs with access to both sides of the administrative border.

29 For a thorough analysis of how the EU has practised "mediation with muscle" in Georgia, see M. F. Grono (2010). *Georgia's conflicts: What role for the EU as mediator?* Initiative for Peacebuilding - Mediation Cluster.

30 Significantly, these recommendations were made by personnel who had experience of such training – delivered through the Crisis Management Centre in Finland and the Nonviolent Peaceforce.

necessary prerequisite for building confidence in the peace process and a two-state solution to the conflict. In other cases, such as the EU Police Mission in Bosnia and Herzegovina (EUPM BiH) or the EU Police Mission in the Former Yugoslav Republic of Macedonia (FYROM), the mission's mandate is intended to help implement and consolidate the peace agreement as well as to serve EU interests in tackling organised crime.

In the case of the EU's largest civilian mission and the only one which also has an executive mandate – the combined Rule of Law Mission in Kosovo (EULEX) – the mission was planned on the assumption that it would serve to implement a political agreement on the status of Kosovo. Given that no such agreement was reached, however, the mission now operates in the awkward position of building the functions of a state, while the objective of building state-like capacity is itself deeply contested. Despite reconfiguring the mission so that it formally operates under the legal framework of the UN Interim Administration Mission in Kosovo (UNMIK), the political context in which the mission operates clearly has profound operational consequences. While the mission is welcomed by, and works closely in support of, the Kosovo authorities, its operations in the North, where there is a Serb majority, are severely limited.

Similarly, the EU Border Assistance Mission (EUBAM) to Moldova and Ukraine is deployed in a conflict context – albeit the “frozen” conflict relating to the separatist ambitions of the Transnistrian region of Moldova. The mission was motivated by EU interests in building customs and border capacity to ensure an effective control of goods, vehicles and people between two of the EU's new neighbours, Moldova and the Ukraine. In addition, it was hoped that the mission would contribute to the peaceful settlement of the Transnistrian conflict by creating the conditions for Transnistria to reintegrate into Moldova's customs space. The mission's mandate was therefore to build conditions conducive to a particular solution to the conflict, notably one that maintains the territorial integrity of Moldova. As with EUMM and EULEX, the EU policy that underpins the EUBAM mandate means that the mission is not welcomed by all sides. This means that EUBAM has no relationship with the authorities in Transnistria, and – in the words of one of its staff – ‘plays no role in confidence-building’.

In short, it is rare that CSDP capacity-building missions have working relationships with all parties to a conflict. This, according to one mission official, is the principal reason why mediation skills are not relevant for them, since ‘we only engage with one party to the conflict’. In these contexts, officials typically characterised their work as involving ‘negotiation’ with national partners to determine priorities and work plans. Only in the case of EUPM BiH did officials stress that the task of building a multi-ethnic police force involved the extensive use of mediation and dialogue skills ‘at all levels’ within the mission and with all parties to the conflict.³¹ Indeed, EUPM BiH was quick to recognise the operational relevance of enhancing its internal mediative capacity as well as that of its local partners for the implementation of its mandate and for ensuring a viable exit strategy. Box 2 below illustrates how the mission has begun to implement the EU Concept.

Box 2. How EUPM BiH aims to integrate mediation in its work

Following the agreement of the EU Concept, EUPM BiH reflected on how the tools of mediation and dialogue were relevant to its work. It identified three priority areas for strengthening mediative capacity. Firstly, it aims to strengthen its capacities for ‘output-oriented’ dialogue facilitation and mediation in order to achieve agreements in the area of legal and regulatory harmonisation – an ambition that has been part of the mission implementation plan since 2003. As a first step, it conducted a three-day pilot training course in mediation and dialogue for 15 mission members and two ministry officials.³² Secondly, it aims to strengthen the multilateral negotiation and communication skills of domestic state-level actors who will be engaged in the EU accession process. Thirdly, in preparation for the follow-on work to the mission, the mission plans to promote facilitated dialogue between local authorities, other external partners and EU partners in relation to the design of future assistance projects under the Instrument for Pre-Accession Assistance.

Source: *Mission Mag, Inside the European Union Police Mission*³³

31 For more detailed analysis, see A. Dolnicar, I. Bostjancic and T. Flessenkemper (Eds.) (2009). *Police reform in Bosnia and Herzegovina. Security sector reform and the stabilisation and association process*. Ljubljana.

32 One official was from the Bosnia and Herzegovina Ministry of Security and one was from the Republika Srpska Ministry of Interior. All participants evaluated the course as relevant to the challenges they face in their daily work. The mission recognises that ‘the need for further training for interested mission members has been established’. It is in the process of evaluating how it might be organised.

33 T. Flessenkemper. ‘Talking heads: The power of mediation,’ *EUPM Mission Mag*, 26th July 2010, No. 75. Available at <http://www.eupm.org/FCKeditor/Images/Media/Mission%20Mag/MissionMag%20075.pdf>.

This suggests that the context and scope of CSDP missions with institutional capacity-building mandates will determine their potential for promoting dialogue at the Track I.5 or II level. Nevertheless, feedback from mission officials and emerging “best practice” guidance points to the importance of dialogue with national counterparts for effective and sustainable implementation in all contexts. For instance, some in EULEX noted that it was critical to their work to be able to ‘persuade’ senior Kosovar officials of the approach that the mission was advocating, and suggested that cross-cultural communication-skills training would have been useful for this. Others suggested that the EULEX ‘programming approach’ to ‘Monitoring, Mentoring and Advising Actions’ was a good example of how CSDP missions integrated the tools of dialogue and facilitation into their working methods.³⁴ One EUPM BiH adviser who had participated in the EUPM BiH pilot training in mediation concluded that ‘the EUPM could focus more on assisting [law-enforcement agencies] in reaching their own mutually acceptable solutions, instead of offering them the solution. The mediation approach is a great tool for this’. Some EULEX personnel also argued that the mission could do more to support long-term processes of democratisation and state-building. They suggested that the mission would benefit from advice from mediation and dialogue experts on how it might play a more proactive role in supporting dialogue between state actors and civil society at the local level.

However, a more consultative, dialogue-oriented approach to CSDP planning and implementation of capacity-building missions is contested within the EU. While some missions, such as EUPM BiH and EULEX, have developed a relatively inclusive approach to establishing mission objectives,³⁵ some officials within the EU planning structures or in other missions think that this is not always appropriate. For example, one EU strategic planner within the Crisis Management and Planning Directorate (CMPD) maintained that, given time constraints, consultations and dialogue should be limited to internal consultations and consultations with local actors in the context of fact-finding missions.³⁶ In terms of operational planning, another member of the Council General Secretariat staff was critical of the ‘programming approach’ applied by EULEX on the basis that this development-style approach is too broad in scope and inappropriate for the tool of CSDP, which should have more limited and targeted capacity-building mandates. Another (former) official of the EU Police Mission to Afghanistan (EUPOL Afghanistan) stated that in-mission planning did not involve much dialogue with national partners because this was not (then) seen as necessary for implementing mission objectives. He argued that the military and police culture of the mission militated against a more inclusive approach to planning and implementation.³⁷

In summary, there is broad recognition that the design and implementation of missions with capacity-building mandates would benefit from greater use of the tools of dialogue (and sometimes mediation) with national partners in the planning, implementation and draw-down of CSDP missions. Some also see potential for CSDP missions to play a more active role in the support of long-term processes of societal transformation, including through support for capacity-building for dialogue and mediation at the community level. On the other hand, a number of officials stressed that CSDP missions were not ideally configured to address long-term issues of state-societal relations and that, despite their “supportive” capacity-building mandates, dialogue and facilitation was not easily integrated in their operational approach.

In conclusion, the military-style approach to *planning* CSDP operations at headquarters means that there is typically little time and few entry points for promoting dialogue with national actors to inform mission design.³⁸ This suggests that CSDP missions could usefully be supported by complementary efforts to inform analysis

34 This approach is also in line with learning in other institutions that are heavily engaged in institutional capacity-building in situations of fragility. For instance, the 2011 World Development Report of the World Bank is critical of ‘imposed’ efforts to build institutional capacity in the rule of law that ‘favour form over function’. Dialogue with and between local partners should, in the World Bank’s view, be central to the design and implementation of mission ‘programmes’ of work.

35 For more details on the inclusive approach of EUPM BiH to operational planning, see ‘2009 – six objectives for EUPM and Bosnia and Herzegovina’, *EUPM Mission Mag*, 22nd December 2008, No. 55. Available at <http://www.eupm.org/FCKeditor/Images/Media/Mission%20Mag/MissionMag%20055.pdf>.

36 Although the majority of ESDP missions have had ‘non-executive’, ‘supportive’ or ‘strengthening’ mandates often associated with building state capacity in the area of police and justice, mission design and implementation still follows a top-down military approach. This emphasises chain of command and structure over programming and provides few entry points for dialogue with local or international actors. While, in theory, the EU Crisis Management Procedures provide opportunities for consultation with other external actors (including actors from civil society) in all phases of mission planning and implementation, this is rarely implemented in the early “strategic” stages of planning. The extent to which it is implemented in operational planning in the field and in mission varies considerably, depending on the nature of mission and the style of mission leadership.

37 The official was deployed under previous mission leadership. In contrast, the current mission’s leadership has adopted a far more collaborative operational approach.

38 There are some notable exceptions, such as the role of the EU Planning Team in Kosovo. But the long length of planning for this mission can be explained by delays linked to the status issue.

through support for local dialogue on capacity-building priorities and strategies. In future, these might be supported by more politically proactive EU delegations, or by the offices of EUSRs where they are present. Dialogue processes might also be supported by non-governmental actors.³⁹ This, in turn, assumes that, in a post-Lisbon context, CSDP planning structures will be more receptive to advice from other EU and external partners.

Mission *implementation* would also benefit from dialogue with a wider cross-section of state and non-state actors, to help determine which options are politically as well as technically feasible and to strengthen the linkage between national-level and municipal- and community-level capacity-building and reform. However, deciding who to work with and how to design a process of dialogue that aims to improve the linkage between different levels of engagement requires expertise beyond that normally required of political affairs, Civil-Military Cooperation (CIMIC), or press and communication officers. This underlines the need for expertise in dialogue and mediation processes to be integrated in CSDP missions with capacity-building mandates.

MISSIONS WITH AN SSR MANDATE

Although past EU SSR missions to the Democratic Republic of Congo (DRC) and Guinea-Bissau were presented as providing “technical assistance” to local authorities, they both demonstrate the profoundly political and contested nature of SSR, especially in post-conflict or fragile contexts. In the case of the DRC, the UN had not proactively engaged in SSR prior to the launch of the EU Security Sector Reform Mission in the DRC (EUSEC RD Congo) precisely because it was felt that the issue was too sensitive and could jeopardise the peace process. When the EUSEC RD Congo did get engaged in the issue of army reform, it became embroiled in a political struggle over different strategic visions for army reform. One plan for a professional army was presented by the army’s chief of staff, Kisempia. An alternative plan for a development-oriented army was favoured by the then Minister of Defence, Chikez. The EU Head of Mission (and chief of staff of the UN Mission in the DRC (MONUC)) both supported the Kisempia plan. But the EU’s close association with the Kisempia position meant that, when Chikez’s plan prevailed, the EU Head of Mission had to leave. One commentator concluded that:

One of EUSEC’s main weaknesses resides in its lack of political expertise. Its staff members are hired for their technical (military) expertise, not their ability to work the political system, which led to the political deadlock over the Strategic Plan. Most of the mission’s members are military, not necessarily the best qualified to engage political (parliamentary commissions) and judicial (military courts) institutions.⁴⁰

The EUSEC RD Congo mission is therefore a dramatic example of how missions with “technical” mandates operate in profoundly politically charged contexts. Although it is far from clear whether a different leadership approach would have been able to resolve the struggle between Chikez and Kisempia, it is evident that working in such contexts requires political acumen as well as adept facilitation and dialogue skills. This experience also confirms the point made in the UN Secretary-General’s report on strengthening mediation capacity that, even where missions have technical mandates, they may be called upon to facilitate or engage in dispute resolution when a political crisis threatens their ability to implement their mandate.

Similarly, domestic political conflict proved debilitating to the EU’s SSR mission in Guinea-Bissau. Although the level of political turmoil could not easily have been predicted, among the lessons learned from this mission is the importance of in-depth conflict analysis and evaluation of previous local SSR and disarmament, demobilisation and reintegration (DDR) experiences in mission planning,⁴¹ and the importance of ‘training ESDP practitioners more deeply about culturally-sensitive implementation in fragile states’.⁴²

39 For instance, within the UN system, the Peacebuilding Support Office is exploring options of working with NGOs that support Track I.5, II and III dialogues, in order to support the elaboration of Integrated Peacebuilding Strategies in the UN Peacebuilding Commission.

40 C. Clément (2009). ‘The EU mission to provide advice and assistance to security sector reform in the Democratic Republic of Congo (EUSEC RD Congo)’. In G. Grevi, D. Helly and D. Keohane (Eds.). *European Security and Defence Policy: The first ten years*. Paris: EU Institute for Security Studies. p.250.

41 A. Monteiro and M. Morgado. ‘Last chance for Security Sector Reform in Guinea-Bissau’, *IPRIS Viewpoints*, April 2009.

42 D. Helly (2009). ‘The EU mission in support of Security Sector Reform in Guinea-Bissau (EU SSR Guinea-Bissau)’. In G. Grevi, D. Helly and D. Keohane (Eds.). *Op. cit.* p.377. Helly also suggests that one of the reasons that EU SSR advisers were not able to build close working relationships with their counterparts was that they were physically separate. They were not co-located within national institutions as in the EU JUST Themis Rule of Law operation in Georgia.

In summary, the mixed record of ESDP engagement in SSR highlights that engagement in the business of army reform in fragile contexts is politically perilous. This indicates the need for robust political support for mission leadership. It also suggests that any mission with a mandate to support a politicised process of reform will benefit from robust competences in process design, facilitation and mediation. Similarly, expert advisers charged with building working relationships with counterparts within national ministries need to understand the political dynamics of the reform process and how they are perceived within it. Providing “advice” in these contexts should also build on processes of dialogue that aim to determine what is politically as well as technically feasible. These processes of dialogue might usefully be initiated even before a mission is launched, and could be supported by EU political actors or non-governmental actors with SSR expertise, in order to inform mission design. In addition, previous experience indicates that dialogue and facilitation skills are also highly relevant for technical experts deployed in sensitive SSR missions.

MILITARY MISSIONS WITH A CIVIL PROTECTION MANDATE

The EU's three military ESDP operations in Africa were all justified as a means to maintain stability and/or protect civilians. These included the short “bridging” operation *Artemis* deployed to secure the town of Bunia in Eastern DRC in 2003 until UN's MONUC operation there could be reinforced. The EU's second military operation in the DRC, the EU Military Force to the DRC (EUFOR RD Congo), was also intended to support MONUC, by providing additional support to stabilise Kinshasa during the 2006 elections. The EU Mission in Chad and the Central African Republic (EUFOR Chad/CAR) in 2008/09 was also a bridging operation,⁴³ and was explicitly mandated to protect vulnerable civilians, particularly refugees from the neighbouring Darfur region of Sudan and IDPs.

These missions had no direct engagement in ongoing Track I peace negotiations relating to the conflict in Darfur and did not come into contact with relevant political leaders. Indeed, in EUFOR Chad/CAR, great efforts were made to limit direct contacts between the EU mission and the leadership of the host government. The EU mission's relationship with local authorities was effectively “mediated or facilitated” by the EUSR so as to ensure that the mission was seen to be under EU political control and not that of the French – the mission's framework nation.

In practice, therefore, mediation and dialogue tools have not been relevant for EU military mission leadership as regards Track I political dialogue. They have, rather, been used at strategic and tactical levels to promote cooperation with other international security actors (notably the UN) and humanitarian actors (both UN humanitarian agencies and international NGOs).

Joint UN-EU After Action Reviews (of EUFOR RD Congo and EUFOR Chad/CAR) have confirmed the importance of mechanisms for dialogue and information-sharing at headquarters and in the field for inter-institutional coordination and cooperation. Nevertheless, the challenges of effective coordination in the field are significant, especially where both organisations operate in the same theatre with closely related mandates. One senior UN official commented in relation to the EUFOR RD Congo deployment that the high ‘transaction costs’ of cooperation means that ‘this is not a model we are interested in repeating’.

Similarly, the civil-military relationship is a complex one and needs to be worked at. Through the systematic use of dialogue with the international humanitarian community, EUFOR Chad/CAR made significant headway in this area. Not only did the mission and humanitarian community develop a common threat analysis,⁴⁴ but they also pioneered new ways of working together which maintained their respective roles and integrity. For instance, through communication they decided against the enforced protection model associated, for example, with close military protection of humanitarian convoys. Dialogue with the humanitarian community also led to a reduction of CIMIC projects related to the return of IDPs as a result of the humanitarian community's concerns that the areas that they were being returned to were not secure.⁴⁵ Dialogue was institutionalised in weekly meetings to discuss security priorities and both sides used this shared information to inform their movements and activities. In

43 The UN Mission in the Central African Republic and Chad (MINURCAT) took over from EUFOR Chad/CAR in 2009.

44 Although EUFOR Chad/CAR was predicated on the belief that refugee camps and IDPs were under threat from the Janjaweed (based in Darfur), the mission and the local humanitarian actors soon realised that the threat in fact came from irregulars linked to the Chadian security forces. This realisation reinforced the mission's approach of acting only as a “warden” of vulnerable civilian populations, rather than chasing down the threat.

45 D. Helly (2009). Op. cit. p.346.

addition, political affairs officers⁴⁶ played a critical role in translating the concerns of the humanitarian community to the military staff. One of the lessons learned from the mission was the importance of a robust political unit to provide advice based on dialogue with external actors. This dialogue was also important for the integrity and reputation of the mission. It enabled the Force Commander to show that the mission was being implemented in support of the humanitarian community, even if it did not involve tracking down suspected militants as originally conceived (see footnote 45).

In brief, although CSDP military missions typically do not engage directly with the conflict parties at the Track I level, their relationship with other security and humanitarian actors active in theatre is critical to their success. Given that these are “sovereign” actors that fall outside the mission’s chain of command, there is an operational imperative for missions to use tools of dialogue and information exchange in order to build working relationships at the strategic and tactical levels. This is already widely recognised and partially incorporated in Civilian Military Cooperation (CMCO)⁴⁷ and CIMIC doctrine. Nevertheless, this cursory review suggests that such doctrinal guidance could usefully be complemented by strengthening civilian/political advice to mission leadership and by providing mission leadership, political officers and CIMIC officers (where they exist) opportunities for training on improving use of dialogue and facilitation skills in their work.

46 For part of the mission, there was only one civilian working in the mission (as a political adviser).

47 CMCO refers to internal cooperation between EU civilian and military actors.

CHALLENGES, GAPS AND LESSONS LEARNED

The above overview of the relevance of the tools of mediation and dialogue in past ESDP missions confirms that, although CSDP missions rarely engage in Track I formal peace negotiations, the tools of dialogue and mediation are nevertheless critical to mission design and implementation.

Past ESDP experience highlights the importance of retaining political expertise within a mission in order to promote the use of dialogue and mediation to generate support for mission objectives as well as the peace process. The above overview also points to a number of gaps or challenges that ESDP missions have experienced in tackling what are often political challenges to mission implementation – many of which can be at least partially addressed through better use of the tools of dialogue and mediation. These are summarised below.

INFORMATION AND ANALYSIS GAP

Both 'ignorance' and 'arrogance' were identified as 'original sins' of UN peace support operations by Brahimi and Ahmed.⁴⁸ As with UN experience, ESDP missions typically do not have the resources or luxury of time to 'alleviate their ignorance of the political map'. In this context, listening to a diverse range of views in-country and dialogue with local actors about local priorities should be an integral part of mission planning and implementation, since it is an important means to determine the political viability of mission plans. Although consultation is used (in a limited way) in the context of fact-finding missions, advanced planning teams and in-mission operational planning, the CSDP approach to planning provides little time and few entry points for integrating dialogue into mission design. While this limitation may be partly remedied within the CSDP framework, it is also likely to require a more proactive role from other EU political actors in preparing and supporting CSDP missions.

THE CHALLENGE OF PARTIALITY AND ACCEPTANCE

Although impartiality is often considered critical to gaining the acceptance of parties to a conflict, CSDP missions are – by definition and in practice – instruments of CFSP and are not impartial. This does not, however, mean that they cannot act as mediators in their own right or support processes of Track I, II and III dialogue or dispute resolution, so long as parties accept them in this role. Indeed, some scholars of mediation have argued that the notions of a mediator's acceptance and acceptability are much more significant than his or her impartiality.⁴⁹ Nevertheless, particularly where missions are partial to a particular outcome, they require a proactive approach to maintaining their acceptability. Just as 'mediators commit a deadly sin when they take their status as impartial and honest brokers for granted',⁵⁰ ESDP experience demonstrates the importance of actively working to maintain the mission's reputation and the acceptance of key stakeholders, including through dialogue with relevant actors at the strategic and field levels. Yet interviews reveal that the view that maintaining the mission's reputation and acceptability does not require engagement with local actors is pervasive in the culture of some ESDP missions.⁵¹ Indeed, some personnel who proactively engaged in dialogue with local actors at the field level reported that they were reproached on the basis that this would compromise mission integrity and impartiality. This suggests

48 L. Brahimi and S. Ahmed (2008). *In pursuit of sustainable peace: The seven deadly sins of mediation*. New York: Centre for International Cooperation. p.6.

49 S. Touval and W. I. Zartman (1996). 'International mediation in the post Cold War era'. In C. Crocker, F. Hampson and P. Aall (Eds.). *Managing global chaos*. Washington, DC: United States Institute of Peace Press.

50 L. Brahimi and S. Ahmed (2008). *Op. cit.* p.8.

51 Missions that operate in countries that are part of the EU stabilisation and accession process tend to be relatively more open to dialogue.

that CSDP field officers could benefit from further guidance on how to use the tools of dialogue in a way that promotes local understanding and acceptance of the mission's role in support of the broader peace process.

At the strategic level, interviews reveal that mission leadership was usually keenly aware of the importance of a proactive approach to managing perceptions. In AMM or EUFOR Chad/CAR, for example, the mission leadership worked hard to maintain the mission's reputation for impartiality by using tools of dialogue and by forging relationships with other actors that enjoyed broad acceptance in the local populations.⁵² At the same time, the fact that CSDP missions are essentially partial instruments of EU foreign policy means that no amount of dialogue at the working level will be able to overcome high-level political objections of some parties to their deployment (for example, limiting the ability of ESDP missions such as EULEX in Kosovo, EUMM in Georgia and EUBAM in Moldova to operate in disputed territories). Nevertheless, mission support for dialogue in these contexts can still indirectly support the formal peace process by identifying risks and opportunities that can be relayed to the relevant mediators. Close relations with some sides of the conflict can also help secure concessions required to sustain the peace process.

THE CHALLENGE OF HASTE AND AMBITIOUS MANDATES

One of the fundamental challenges to the ability of CSDP missions to “mainstream” the use of dialogue tools is that CSDP interventions are often launched on the basis of vague and ambitious mandates, and planners and leadership are given limited time to translate these broad ambitions into actions that demonstrate results in the short to medium term. As mentioned above, this militates against more inclusive and consultative forms of planning. The demand for demonstrating results is also not easily reconciled with the goal of managing the political process to ensure the engagement of key stakeholders. Furthermore, broad mission mandates can raise false expectations in host countries and, when these are not met, can lead to a short-lived welcome and can also jeopardise the peace process. Taken together, these challenges highlight the need to embed CSDP missions in the context of longer-term political engagement – so that they build on existing relationships, are supported by more inclusive analysis, and are not loaded with unrealistic expectations. Post-Lisbon restructuring provides new opportunities to address some of these challenges. In future, EU Delegations should play a more proactive political role, and – supported by the European External Action Service (EEAS) – should be in a position to help prepare the ground (including through local processes of dialogue) for EU interventions – whether they be through aid instruments or CSDP. Alternatively, some suggest that under the post-Lisbon arrangements small-scale assistance missions could be directly integrated in the offices of EUSR⁵³ or EU Delegations.

RECRUITMENT CHALLENGES AND THE POLITICAL SKILLS GAP

Last, but not least, is the challenge of finding people with appropriate technical and behavioural competencies. The above analysis suggests that the politically-sensitive nature of the environment and mandate of many CSDP missions requires a range of interpersonal, political and technical skills. It suggests that even “technical” or “military” operations require robust political advice and support, including advice gathered as a result of processes of dialogue and consultation, and that a minimum level of cultural and conflict sensitivity is required by all staff that engage with local actors. Yet, faced with the acute recruitment challenges, it is unlikely that sufficient talent will be attracted through regular Calls for Contributions processes. This, in turn, suggests that integrating the tools of mediation and dialogue in CSDP missions requires innovation in training and recruitment practices.

52 In the case of EUFOR Chad/CAR, for example, the mission leadership was aware that being seen as ‘friends with the humanitarian community’ was important for maintaining the mission's reputation of impartiality (rather than being seen as an instrument of French policy).

53 D. Korski and R. Gowan (2009). *Can the EU rebuild failing states? A review of Europe's civilian capacities*. European Centre for Foreign Relations. They recommend that the EU develop *scalable assistance partnerships* through the offices of EUSR⁵³ in the 20 countries that the EU considers to be at greatest risk of instability. Small teams of experts in the offices of EUSR⁵³ would provide both analysis and assistance (including programming guidance) and support for dialogue processes. In the event that a full CSDP mission was launched, they could also assist with CSDP strategic planning.

CONCLUSIONS AND RECOMMENDATIONS

Feedback from staff employed in CSDP missions testifies to the demand for and effective use of mediation and dialogue skills at both strategic and field levels. Although CSDP missions are not engaged in formal Track I negotiations, some are involved in formal dispute-resolution mechanisms relating to security (such as the IPRM in EUMM). In some other cases, mission leadership has engaged in high-level dispute resolution (AMM, EUPM BiH), while the majority of missions engage in informal dialogue and sometimes dispute resolution at the Track I.5 and II levels. Mission staff also indicate that dialogue and mediation training is considered relevant for ensuring 'conflict sensitivity' at the field level, and some see potential for missions to take on additional tasks in support of local conflict-resolution capacities or Track III forms of (facilitated) dialogue.

In so far as missions depend on strong working relationships within the mission and with other external actors as well as local ones, the *skills* of dialogue and mediation are seen as critical for mission implementation. Yet the practice of dialogue with external actors is often marginalised in CSDP structures, planning and organisational culture. There are few opportunities for dialogue during planning, and during implementation the use of dialogue is associated mainly with individuals with formal "liaison" or "communication" functions.

These findings suggest that, while the tools of mediation and dialogue are relevant to CSDP in a number of ways and at multiple levels, missions are not typically designed or equipped to use them to maximum effect. The following recommendations aim to address this by strengthening political and mediation support functions, training and guidance for CSDP missions. They also aim to improve the linkage between CSDP and other EU external political and aid instruments so that CSDP missions are better informed by and able to engage in longer-term processes of mediation and dialogue that have a potentially transformative impact on state-society relations and capacities.

Recommendations for strengthening mediation and dialogue capacities in CSDP missions:

- *Provide robust in-mission political support to CSDP leadership*
All missions should have political advisory units with a mandate to proactively conduct liaison functions and ensure that missions employ conflict-sensitive language. In missions that are linked to monitoring and supporting peace processes, or which have a dispute-resolution function, these units should include advisers with process-design and conflict-management expertise.
- *Include CSDP in plans for mediation support*
The EU Concept states that the EU will explore the feasibility of establishing a roster of experts with relevant mediation expertise (possibly together with the UN). CSDP missions should be included in these plans as an institutional actor eligible for their deployment.
- *Develop guidance on supporting local dispute-resolution mechanisms*
The EU should develop guidance on how to support local dispute-resolution capacities and mechanisms. This should draw on past experience and lessons learned in EU and UN operations and should be developed for personnel within CSDP missions, as well as for other EU actors.
- *Integrate conflict analysis, cultural sensitivity, and dialogue and mediation skills into in-mission training*
All staff that represent the EU in fragile contexts should receive the opportunity for basic training on conflict analysis and management skills. Although relevant behavioural skills cannot be learned in such a short time, this training should serve to raise awareness of the value of cultural and conflict-sensitive behaviour.

Recommendations to strengthen the linkage of CSDP with political and development interventions so as to better support peace processes:

- Increase CFSP engagement in early planning for CSDP
To help ensure that strategic options for CSDP missions are based on more extensive dialogue with local stakeholders, in-country EU actors should become more active in the strategic planning process, including by supporting multitrack dialogue processes.
- Increase opportunities for EEAS staff deployment to CSDP missions
There is broad recognition that CSDP would benefit from a “cadre” of qualified conflict specialists who might serve to provide political advice to the EU’s external offices and operations. This should be actively pursued, so that CSDP missions could also benefit from the advice of career professionals with experience in supporting peace processes.
- Strengthen opportunities for informal dialogue in-country
Evidence suggests that the “coherence challenge” is best addressed at country level. Regular informal meetings can help generate shared political analysis and synchronise activities towards common objectives. It is also essential for preparing viable exit strategies for CSDP missions. Developing informal mechanisms and habits of dialogue should be a priority for all EU actors, including CSDP missions.
- Increase opportunities for in-country senior leadership training in mediation
Senior leadership training in mediation and dialogue processes can serve to enhance individual learning as well as provide additional opportunities for strengthening cooperation between the leadership of different external institutional actors. For this reason, EU leadership in fragile contexts should be offered specialised training in mediation and dialogue.⁵⁴ This should be open to all relevant senior leadership in-country (including EU, UN, African Union (AU) and representatives from member states and some NGOs), in line with existing commitments to strengthen EU-UN cooperation in crisis management.⁵⁵

54 UN Institute for Training and Research (UNITAR) and the Folke Bernadotte Academy (FBA) provide regular mediation and dialogue training opportunities for UN officials. Within the EU, a broad range of national training institutes and NGOs provide training on mediation and dialogue, including for national and EU officials, but not usually within the framework of CSDP missions.

55 European Council, ‘Joint statement on UN-EU cooperation in crisis management’, Brussels 2007.

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