

International Peace Mediation: Analysis and Evaluation Meeting Report

On the 28th of February 2008, the mediation cluster of the Initiative for Peace building convened a meeting with the presence of peace building professionals from the peacebuilding/conflict resolution NGO sector, the European Commission, the European Council, the Military and the Norwegian Refugee Council/UN standby team. Some of the participants were trained mediators.

The purpose of this meeting was to

- *Introduce* the issue and the challenge of International Peace Mediation in particular in its relevance to the EU;
- *Consider* the various challenges of reinforcing International Peace Mediation as a professional practice for the EU;
- *Instigate* the process of developing a 'common language' of the subject;
- *Create* the Terms of Reference for an Issue Paper to be developed on Evaluation and Analysis of International Peace Mediation.

The meeting benefited from a wide array of experiences, understanding and even controversial opinions about International Peace Mediation.

Methodology of meeting

Following a 15 minute introduction of the topic in question with a particular framing question, each participant provided a background of her/his work and formulated a specific interest for the outcome of the meeting. The individual contributions were consequently clustered which resulted in four working groups. Each of the working groups presented its working results. A final session attempted to recap the overall general challenges brought the seminar to a close. The meeting was facilitated by Antje Herrberg and Nicolas Beger.

Results of the Working Groups

The following is a summary of the results of the working group, most of which has been presented through flipcharts by the participants. Some of the contributions are slightly amended or edited for the purpose of achieving clarity.

Results of Working group I : Professionalisation

The key question that this group concerned itself with is whether the concept of the Profession of the 'International Peace Mediator' actually exists, and whether indeed there is already a generic understanding of the concept 'Mediation' within the framework of peace building. Clearly so, there needs to be a deepened understanding of

a) what *mediation* is:

The generic definition of Mediation was provided for in the introduction of the seminar: "Mediation can be defined as a voluntary and confidential method, through a structured process, where one or more impartial third parties assist parties to reach a mutually satisfactory solution. The mediator provides a framework and conducts the mediation, but makes no substantial suggestion or decisions in the case. "In addition the discussion considered facilitative mediation (i.e. non directive approach) as the main conceptual framework for the discussion. The discussion did, however, clearly acknowledge that many mediation in the international political scene often times proceeds alongside directive methods of mediation where the mediator makes substantive proposals that might lead to solutions.

b) What *international* mediation is:

International Mediation thus consequently would consider mediation that involves one or more parties from different countries (including the mediator). Third party involvement from another country or outside individuals would thus constitute International Mediation.

b) what international *peace* mediation is:

Consequently International Peace Mediation would be one where an outside third party is primarily concerned to support parties to resolve or prevent conflicts with the aim for sustainable peace in a given country region.

1. Where do you situate the mediator?

Related to the question of definition refers to the issue of where to locate the mediator, i.e. where her/his space is (and where it is not). This entails the question

- How is the mediators appointed?
 - By the 'demandeurs' i.e. countries in conflictual situations
 - By states, regional or international organizations with a specific mandates
 - Through their expert power, i.e. local presence experience and /or reputation which make them important information brokers in a peace process.

Unlike the UN, the European Union can and does work with so called Track II organizations who can act independently to assist and help broker a peace

process. The specific value added for the EU in utilizing this soft power potential has not, fully been realized.

2. Awareness of responsibility

A key issue to this regard is how to develop understanding and sense of responsibility for international peace mediation processes for all those involved (mediators, advisors/support team/donors etc.)

Related to this point, the group elaborated on the questions of

- What is the minimum of skills and techniques that any mediator (working for and with the EU) need to be able to demonstrate;
- What elements and what structure needs to be in the ‘package’ of an international peace process
 - i.e. definition of problem area/key issues
 - pre-dialogue/mediation
 - definition of stakeholders
 - arguments to render mediation sustainable and legitimate
 - International legal framework, constraints and discretion of the mediator
- What are the **professional needs** for the Profession of the International Peace Mediator to emerge? Here discussion focused on the requirements on the establishment of the sector of international peace mediation
 - *Self control of the profession* (i.e. the profession begins to distinguish itself from amateurs), there is an approximation and distinction between the ‘professionals’ (as in the middle ages, the Pharmacist and the Medical Doctor)
 - This could be reinforced through the creation of *a code of conduct* for international peace mediation.
 - Legal and other *frameworks for accountability*
 - *Common language and terminology* and raising awareness of such
 - *Checklists* for non trained mediators i.e. political mediators of how to work with mediation support (from gender to transitional justice)

4. For the issue of professionalisation, the question of what the ‘**rules of engagement and disengagement**’ are for peace mediators, is of crucial importance. International Peace Mediation is just on part of the overall peace process. One needs to be aware when it begins, but also, possibly more importantly, when it ends, who will carry the peace process forward and how. Clarity regarding this issue will strengthen the professional practice as it provides for a clarification of roles.

In summary the working group elaborated three essential issues in their implications for the EU

- Code of conduct
- Qualification and skills
- Need assessment and support

Working group II: Values and Boundaries

The second group clustered itself around the questions of values and boundaries of International Peace Mediation. Closely related to the discussion of working group on professionalisation, this working group focused on the questions of what roles values play in a third party mediation.

In essence, the **way how a mediator conducts** her/himself impacts on the process in terms of accountability, transparency, communication flows, who is invited to the negotiation table etc.,

Equally the **conduct impacts on content**, specifically how human rights are addressed within the process, and on the outcome, i.e. how human rights are applied and manifest themselves through the dealing with the past and the future.

1. What are the elements of a core value base?

One key question that requires attention is whether International Peace Mediation would have a universal core values, whether these are culturally contingent or, both. Will the EU have distinguishable core values in regards to International Peace Mediation?

The core values could consist of

- Non Violence
- Impartiality
- Justice (past abuses, reparations, future structure)
- Inclusivity (ensuring broad range of representation)

2. Values impact on the process and the conflict analysis

Questions addressed within this context are:

- Who is involved? This would require an analysis of all actors' interests, their power and relationships with one another.
- Is there a task for the mediator whether invited or not
- How is the mediator chosen?

How to include issues of

- Sanctions ('carrots and sticks' coercive diplomacy, rewards)
- Justice (transitional justice issues)
- Army (reintegration of combatants, army, SSR, etc.)

Working Group IV Establishing the conditions for successful conflict resolution: the role of the EU.

This working group focused on the issue of outlining some key issues/factor in relevance to International Peace Mediation and the EU. According to the participants the following three key areas were outlined as thematic issues, to be further explored.

1. The creation of *conditions* for a successful settlement process.

As discussed, the Mediation Process is just one distinguishable part in a peace process and peace building. Relating to the issue elaborated by the other groups, parameters for assessing the conditions of a settlement process (or international peace mediation) would be:

- political analysis, risk assessment of the context – with some set parameters
- an assessment of capacity of the actors involved as well as of the feasibility of the process
- For the EU: do particular member states support such a process? (this is usually ensured by a note of the Commission funding a particular process – but are particular member states backing this in particular?)

2. The creation of an *enabling environment* for mediation

An assessment of an EU backed international peace mediation requires the consideration of environment for implementation. Some key needs of such enabling environment need to be filled. This involves:

- The support of independent (non official) mediation efforts
- The building of a standing capacity
- The creation of mediation support teams for the EU SR or within the new Common External Action Service
- To be able to strike a balance between leverage (EU backing) and independence
- Awareness raising and capacity building in member states
- Political and financial support.

3. Creating demand for the mediation

One question that came up in this group refers to the issue of how to create a demand for International Peace Mediation as an effective tool for conflict resolution of the EU. This indeed impinges directly on the ‘credentials’ of the EU, the partners it works with, as well as to the issue of professionalisation.

4. Identify the good offices of the EU to provide

Just as the UN provides good offices, it would be timely and adequate to establish what good offices would mean for the EU. This concept would be even more interesting to consider in the perspective of the Lisbon Treaty.

The following issues in this regard were outlined and discussed:

- Good offices as *supporting and empowering parties rather than imposing*
- Dilemma of competing foreign policy goals (which provides additional argumentation of the added value of Track II initiatives)

Working Group IV Good practice/evaluation of International Peace Mediation

This working group identified in a structured way the key parameters that should be considered in the production of Terms of Reference in supporting a Peace Mediation Process. The criteria could apply when analyzing specific cases within the context of the Initiative for Peacebuilding.

1. Issues to consider when evaluating either for intervention or for evaluation

History of conflict

- Regional Powers
- Ripeness (conflict escalation)

Peace Process architecture

- Who are the actors?
- What are their mandates?
- How do they interact?

1. Issues to consider when evaluating the process

- What kind of meditative approach is followed? How does it manifest itself (facilitative, directive, power based etc)
- Who initiated the process? (i.e. did the parties request intervention, did the mediator intervene due to political interests, what is the mission and mandate etc.)
- How do parties communicate through the third parties, if at all? How does information exchange occur
- What values are considered and built in?
- What about the issue of confidentiality?
- What are the intermediate steps (cease fire, armistice etc) for the mediation process?
- How is the process organized? (dealing with issues such as asymmetries, meeting places, frequency of meeting, time frame)
- How can the mediation process be embedded in the longer term peace process (to ensure communication and sustainability)

2. Issues when evaluating the outcomes

- Have the goals (however modest) of the mediation activity been achieved? (Parties sat at the same table, information exchange begun, structured process etc.)
- What else has been achieved? (more stakeholders have been identified, consequent conflict analysis identified other key conflict themes and issues)
- How sustainable are the solutions that have been agreed upon by the parties?
- What are the risks for sustainability?
- What are the key recommendations: good practice/policy guidelines/goals of process need to be further developed

4. Issues when evaluating methodology:
- What are the resources ?
 - Has the process been participatory or not ?
 - Whom has been talked to and whom hasn't been talked to ?

List of suggestions/wish list/issues to further consider

Finally participants elaborated in a final feedback round a list of key issues. The following list is an unedited version of the ideas that the participants came up with.

- Establish mechanisms for better interlinkage between Track I and Track II mechanisms
- Map actors in the field of professional peace mediation
- Creating a document for establishing professional standards in International Peace Mediation for the EU
- Create a framework of what international peace mediation is in peacebuilding processes
- Documents on action plan, tools, techniques, trouble shooting
- Clarify purpose of mediation within larger peacebuilding process
- Support the creation of framework guidelines on Human Rights approach within Mediation (participation, ownership, transparency, accountability)
- Minimum training standards – EU sponsored
- Definition of International Peace Mediation
- Empirical studies on impact of Mediation in peace processes
- Interview 'EU mediators' for needs assessment
- Explore the possibility of creating mediation support (feasibility study)
- Establish more mechanisms to support indigenous mediation
- Lobby for Mediation as a Conflict Resolution Tool for peacebuilding
- What is inclusivity – requires a case study
- One page check list "What to look out for"
- Declaration of EU commitment of Mediation (Track I and Track II)
- Do no Harm Principles of the EU
- Assess available resources in content, number and finance
- List of base capability mediation has to have (training standards in intl peace processes)
- Create databases on best practice

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