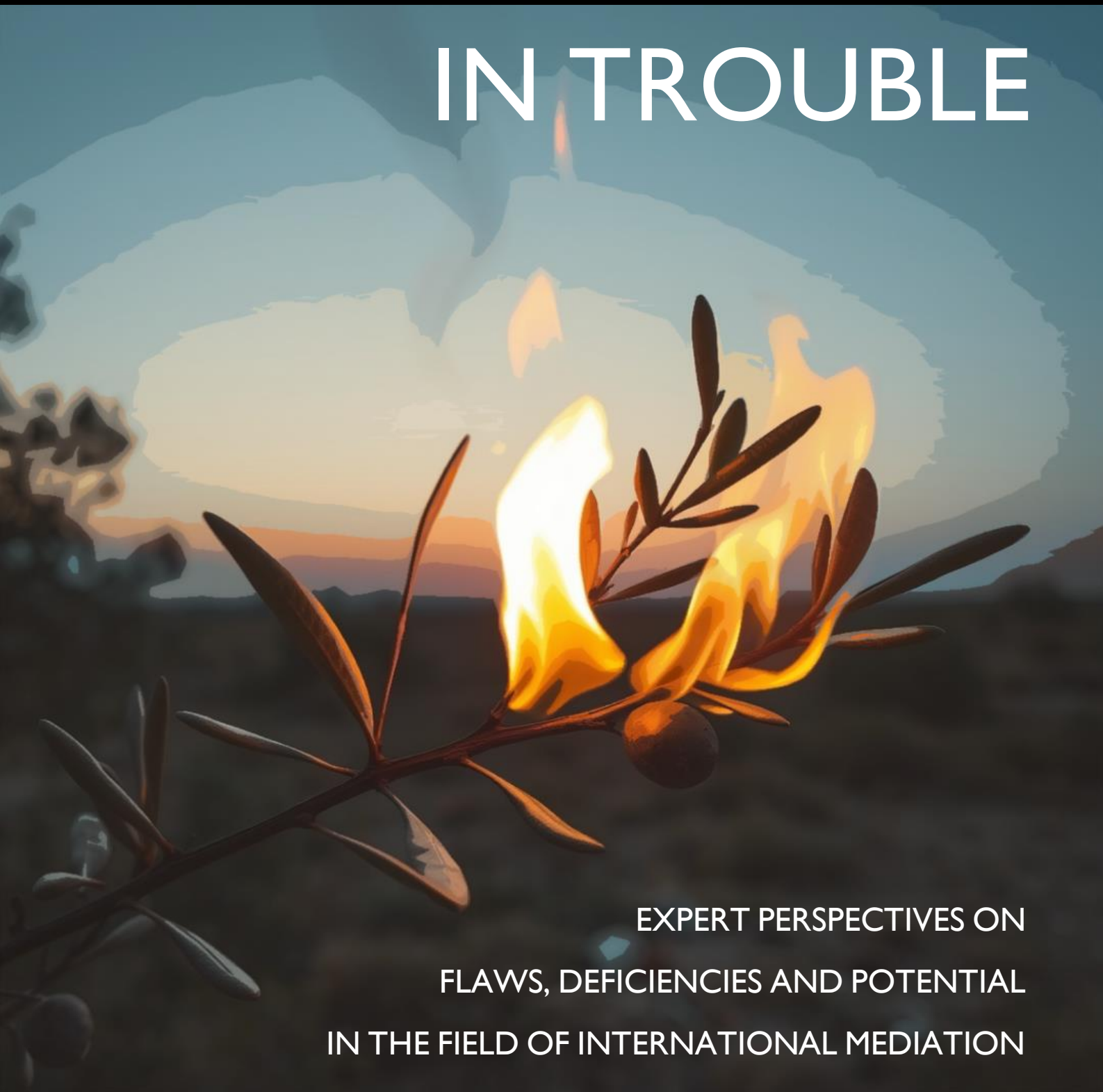# PEACEMAKING

IN TROUBLE

EXPERT PERSPECTIVES ON

FLAWS, DEFICIENCIES AND POTENTIAL

IN THE FIELD OF INTERNATIONAL MEDIATION

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NOTE

PREFACE

Armed conflicts have proliferated over recent years with devastating consequences. Countless numbers of people have suffered. Too often, peacemaking efforts are failing or have failed. A complex array of transnational challenges and intensifying great power rivalry pose the greatest threat to international peace and security since 1945. Arguably, never has more been required of the field of international mediation.

This gives rise to a burning question: What could be done to increase the effectiveness of international mediation efforts – what changes could strengthen the field's ability to prevent and resolve armed conflict? That, in essence, is the question this study posed to 86 of the world's leading mediation professionals. The issue was also discussed in ten colloquia involving 72 other senior mediation practitioners and experts. As such, this study is one of the largest of its kind.

This monograph presents and explores the expert views articulated in response and in relation to the study's central question on mediation effectiveness. It is thus a compendium of perspectives on a range of issues, from mediation goals and capacities to methods and skills.

Predominantly, interviewees chose to describe problems and shortfalls in the field of mediation – and speaking on a non-attributable basis, they were breathtakingly candid. The study therefore catalogues a multiplicity of flaws and deficiencies. This forms the basis for issue-specific, actionable recommendations that are included in each section of this study.

It is clear from the testimonies that the field of mediation is in trouble. The field is struggling to adapt to a highly challenging operating environment, and facing the increasing use of alternative ways of managing conflict. Moreover, according to experts, in many respects the field is not getting the fundamentals right.

Much of the current discourse on mediation considers how the field should adapt and innovate – how it should develop new capabilities and techniques to meet new challenges. That discussion is vital. But we must also scrutinise the field's fundamental systems, structures, policies and practices. Too often they are inadequate, defective or unfit for purpose.

To date, the field has developed through an iterative process of change that relies on experimentation, research, exchange and socialisation. This has taken mediation a long way. But will it be enough? This study suggests it may not.

The testimonies analysed for this study constitute a powerful case for serious and concerted action to enhance the effectiveness of international mediation. They point to specific ways in which this could be achieved. And they suggest that what is needed is a more organised and determined collective effort to catalyse, inform and advocate for change.

This process should aspire to bring about far-reaching change in both specific ways and systemically. Crucially, it should seek to strengthen and expedite professionalisation. What the process should look like is for the field to determine, but it must involve rigorous self-scrutiny. Above all, it will require a more honest, open and vigorous discussion about how the field can improve.

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THE AUTHOR

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Previously, Matt served as an adviser to the United Nations envoys for Afghanistan, Syria, Somalia and Yemen, and has conducted mediation and facilitation work with several international organisations. Matt has carried out research, training and policy work on social and emotional intelligence. He has also undertaken research on armed conflict, foreign policymaking and psychology in international mediation as a fellow at the Program on Negotiation at Harvard Law School, the Belfer Center for Science and International Affairs at Harvard Kennedy School, the Carr Center for Human Rights at Harvard Kennedy School, the Fletcher School at Tufts University, and Clare College, Cambridge University. Matt is an international lawyer and previously served as a foreign affairs adviser in the UK and European Parliaments.

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The process of learning to live together without war in this torn and distracted world of ours is going to continue to be painful and a constant challenge for the rest of our lives. Yet we know what the choice is. Either we manage it or we face disaster.

UN Secretary-General Dag Hammarskjöld[1]

International mediation is just scratching the surface of what it can contribute, and what it needs to contribute to the planet.

International mediator[2]

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[1] Address by Secretary-General Dag Hammarskjöld at University of California Convocation, Berkeley, California, Thursday, 13 May 1954. United Nations Digital Library; available at: https://digitallibrary.un.org/record/1291161?ln=en&v=pdf.
[2] F510, interviewed by the author on 13 April 2021.

EXTENDED SUMMARY

This summary outlines key points made by specialists in relation to mediation effectiveness and highlights their lines of thinking through brief excerpts of their testimonies. It also summarises the introduction and context of the study, as well as the author's conclusions and recommendations.

INTRODUCTION AND CONTEXT

There are more armed conflicts today than at any point since the end of the Second World War. Civil wars, especially, have proliferated since 2011. Mediation efforts have expanded to respond to this challenge. But are they effective? Much work has been undertaken on this question involving experimentation, observation, field research, case studies and statistical analysis of datasets. But there have been few extensive consultations with mediation professionals solely on the question of mediation effectiveness. That was the approach taken in this research, which involved in-depth interviews with 86 individuals who have significant knowledge and experience of international mediation – principally, mediators, experienced mediation practitioners, and academics with mediation experience. The cohort encompasses many of the world's most accomplished and experienced mediation professionals. It includes 18 current or former UN envoys, and 16 current or past members of the UN Standby Team of Senior Mediation Advisers. Each was asked a single question: *What could be done to increase the efficacy of international mediation efforts to resolve or prevent armed conflict?* In other words, what should be done differently to improve the prospects of preventing armed conflict or making progress towards sustainable peace? The research also drew on ten colloquia on mediation effectiveness involving a range of practitioners, experts, officials and academics. In essence, the study is a critical appraisal of the field by the field.

This methodological approach yields the broad brushstrokes of opinion rather than the detail of scientific inquiry. It is only one research method among others, especially those based on case studies and datasets, that are required to assess the field of mediation. However, testimonial evidence, especially from leading practitioners with decades of experience, is an important element of any such appraisal.

In response to the central question, interviewees were voluble and expansive. They tended to identify flaws, weaknesses and deficiencies in mediation rather than suggest improvements, and to focus on how the system operates, rather than mediation policies in specific cases – emphases which are reflected in this study. In judging the field as a whole, individual interviewees tended to draw heavily on their own particular experience. The professional experience of interviewees varied greatly, underscoring the heterogeneity of mediation work, and yet certain aspects of their experience were widely shared. Thus, many interviewees articulated views relating to mediation work at the level of Tracks 1 and 1.5 on internationalised civil conflict. Many also directed their remarks towards the work of the United Nations, an emphasis which is reflected in the text. Although in some regions, especially in Africa, the mediation role of the United Nations is diminishing, the organisation still plays a significant role within the field as a whole, and many of the observations made by interviewees about the United Nations are also pertinent to regional organisations.

Many underscored that the mediation of armed conflict is intrinsically difficult due to the powerful drivers of violence, and the limited means of mediators. As one expert said of mediation, "[T]he miracle is that it sometimes works." They also emphasised contemporary contextual factors that make progress even more difficult to achieve: complex operating environments, involving multiple actors, with local, national and transnational dynamics; increasing involvement of major and regional powers in civil conflict, tending to amplify and perpetuate hostilities, dissipate decision-making authority, and reduce incentives for negotiations; international division and contention, exacerbated by the war in Ukraine, intensification of the US–China rivalry, and growing tensions between the West and the Global South; a

lack of political will among leading states to mitigate and resolve armed conflict; the misuse of "mediation" to advance state interests or foreign policy objectives; and the attenuation of mediation efforts in terms of traction and impact.

Overall, there is a widely felt sense of questioning, self-doubt and a belief that mediation is failing to deliver. As one mediator says, "There's a common agreement that we're in trouble…. [M]ediation, well she's in crisis even though we won't call it crisis and she's got to find a way out." This is ascribed to the exogenous factors noted above, to which many believe mediation has failed to adapt. According to one expert, it is "working from an unrealistic and outdated playbook". In other words, as another expert put it, "You have a 1990s model for a twenty-first-century set of problems." A sense of failure is also heavily ascribed to endogenous factors: elements of mediation practice are too often inadequate, defective or unfit for purpose, issues which are explored in this monograph.

Major powers and regional states are expanding their involvement in international mediation. States such as China, Russia and Qatar are advancing alternatives to the prevailing mediation paradigm, which revolve around elite bargaining, high-powered diplomacy or militarised conflict management. These approaches may be more appealing to conflict parties looking to avoid the demands of processes which involve problem solving, inclusion and accountability. To retain relevance and impact, the field of mediation must examine its own flaws and weaknesses, and take substantial and concerted steps to enhance its effectiveness. As one mediator says, "International mediation is just scratching the surface of what it can contribute, and what it needs to contribute to the planet."

FLAWS, DEFICIENCIES AND POTENTIAL

This section attempts to capture the principal flaws and deficiencies in the field of mediation, as articulated by mediation specialists. They fall into nine interrelated categories, and are accompanied by propositions, expressed or implied by specialists, regarding ways that mediation should change in order to improve effectiveness. These proposals could form some of the key elements of a collective effort to overhaul the field – a new agenda for international mediation. They comprise particular and differentiated recommendations for donors and the United Nations, as well as other prominent mediation actors, in a range of domains. However, it is possible to discern the essence of the proposals, as outlined in the textbox below, which includes a tenth point on the overall change process required.

Ten possible elements of a new agenda for international mediation

1. **Goals:** Avoid overloading mediation processes in pursuit of comprehensive peace agreements – work towards realistic objectives, which may be gradual or incremental. Avoid a succession of short-term responses – adopt long-term timeframes and adapt funding cycles accordingly.

2. **Structures:** Guard against reliance on top-heavy, overcentralised approaches – promote diverse networked efforts at multiple levels. Address organisational problems in the United Nations and regional mediation actors – the United Nations should, *inter alia*, prioritise mediation effectiveness, including at leadership level, avoid overburdening envoys with multisectoral responsibilities, streamline procedures, and leverage institutional strengths.

3. **Suitability, skills and expertise:** End the murky politicisation of appointments – establish merit-based selection processes to appoint mediators who have mediation expertise and relevant competencies. Recognise the critical role of social and emotional intelligence skills – ensure their prominence in job specifications and professional development at all levels. Ensure mediation teams have expertise in mediation and related fields and disciplines; strengthen awareness of context-specific mediation norms, methods and approaches.

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4. **Knowledge:** Address gaps in local knowledge – ensure rigorous, systematic and multimodal efforts to acquire relevant information and conduct analysis in a range of relevant domains, from culture to psychology to political economy, drawing on local engagement and multiple perspectives.

5. **Method:** Refrain from prioritising agreements over relationships – build relationships through dialogue and trust building to enable parties to manage their differences; ensure complementary work in peacebuilding and reconciliation. Don't impose solutions – support parties to find ways forward; promote their agency, ownership, and responsibility to bolster sustainability. Avoid missteps in process management – use confidentiality for trust building and transparency for generating wider buy-in. Don't neglect strategy – start with ends, not means; strengthen critical thinking, creativity and judgment; make use of proven mediation methods and techniques; and support the ongoing process of diversification. Address questions and concerns about inclusivity – carefully manage risks and sequencing; encompass but go beyond women and youth; secure genuine political commitment; focus on substance rather than appearance; consider outcomes not just representation.

6. **Prevention and implementation:** Match resources with rhetoric – invest in mediation for prevention; expand low-profile prevention work and long-term engagement in fragile environments; increase levels of collaboration between development, peacebuilding and mediation professionals. Follow through – recognise implementation can be as or more challenging than negotiation; ensure sustained resources and multi-skilled mediation support after the signing of an agreement; avoid oversimplified linear conceptions of sequencing.

7. **Learning and development:** Commit to continuing broad-based skills development: improve the quality and practical utility of training, including in social and emotional skills, build learning cycles not just events, and invest in coaching. Learn from institutional experience – build systems to identify and apply insights from experience, improve knowledge management, make wider and better use of peer reviews and external assessments, and make greater effort to translate recommendations into action. Make better use of research: close the gap between research and practice, increase scholar-practitioner collaboration, strengthen the utility, relevance and accessibility of research, and expand practitioner awareness of research studies and their findings.

8. **Systemic issues:** Beware of a self-interested, overcompetitive field – promote and enable communication and coordination between mediation actors; explore modalities for increasing complementarity. Strengthen professionalisation – jointly apply greater rigour to establishing, maintaining and promoting high standards of practice; consider the potential utility of a voluntary professional body to advance professionalism, improve monitoring, evaluation and accountability, and to conduct policy and advocacy work in the collective interest of the field.

9. **Support:** Invest in mediation: substantially increase the scale of funding – which is 0.02 per cent of global military expenditure – and the proportion of long-term, flexible and streamlined support.

10. **Change process:** Acknowledge fundamental problems in the field of mediation, not least in its systems, structures, policies and practices; prioritise efforts to enhance effectiveness for which far-reaching changes, both specific and systemic, are required, as outlined above. Jointly build and lead an inclusive process, involving rigorous self-scrutiny and constructive engagement, to inspire, support and enable change.

The following summaries in the nine areas outlined above reflect a constellation of points and perspectives rather than a single, coherent line of argument. However, they seek to draw attention to some of the key issues and viewpoints around which there is convergence among mediation professionals. The taxonomy of the nine areas and their constituent sections has been developed not simply according to the logic or preference of the author. It also reflects the way in which mediation specialists' observations tended to gravitate towards broad subject areas and cluster around certain issues.

1. GOALS

Overambition

International mediation efforts are often expected to achieve too much, especially through the talismanic notion of the comprehensive peace agreement. As one expert says, "We want to achieve comprehensive peace agreements that tackle root causes and bring sustainable peace. It's an ideal; but it is actually a sort of fantasy." Members of the UN Security Council cynically create impossible mandates as a way of managing pressures and reputational risks. Processes are overloaded with unrealistic, overburdensome and overbearing objectives, which can jeopardise progress. As a UN envoy says, "Suddenly, the original purpose of the mediation becomes a very distant and small adjunct to the process; a Christmas tree of laudable objectives, which are a threat to the peace agreement itself."

Mediation is no *deus ex machina*. There is a strong humanitarian case the field should focus on ending the fighting: "It's not about bringing… heaven to earth but preventing this world from going to hell," says one UN envoy, echoing the words of a former UN Secretary-General. The absence of active hostilities also opens up possibilities for longer-term change. But experts warn that processes which fail to address the underlying causes of violence can create the conditions for the recurrence of hostilities. Moreover, mediation goals should correspond to what is realistic at any given point in time, and may therefore be gradual or incremental. As one practitioner says, "[T]here's an overload of 'now we have to fix it all', instead of saying like, 'What does this country need now?'…. [L]et's take a… step-by-step approach, that will at least create this dynamic to open the door to the next phase."

Short-termism

Mediation processes require long-term vision and persistence, yet states and donors expect mediation to achieve tangible progress over unrealistic timeframes. Too often mediators look for "quick fixes". "[W]e're so hungry for results," says one practitioner, "but we don't know how to actually get them or we don't want to wait for them… Nobody wants to wait, in the age of instant gratification." Short-term responses are often driven by the aspiration to burnish international credentials or by the imperatives of expediency in the face of intermittent crises. "Who cares what happens tomorrow?" parodies one scholar-practitioner, "Whatever crisis is there tomorrow, we'll just look assertive, again, dealing with it, right?" This can lead to intermittent bursts of activity: "[I]t's either full throttle ahead with a high-level envoy, or there's nothing." And these dynamics are compounded by increasing projectivisation in response to donor requirements.

Timeframes for mediation work should be substantially expanded, with corresponding adjustments made to project lifecycles and expected outcomes. This would enable the development of longer-term strategies, which aim to contribute to the achievement of sustainable peace, rather than a succession of short-term efforts, and would help to avoid high degrees of variability in terms of levels of international engagement.

2. STRUCTURES

Top-heavy, overcentralised model

Track 1 mediation efforts have typically been led by a single high-level envoy. That approach is now far less prevalent. Indeed, there are questions about the suitability and effectiveness of high-powered, external problem-solvers given the complexity of modern armed conflicts. This is seen by some as reinforcing the "mythology" of the great mediator. As one practitioner puts it, "[T]his focus on the individual mediator, this kind of veneration of individuals who've mediated conflicts in the past…. plays into this idea that all it really takes is a great man – it is invariably a man – to come in, and the right one and the right time and place, and he will solve the conflicts. Whereas I think... that all best practices in academia in the last 30 years have shown us is that it doesn't actually work like that." Specifically, many

experts believe that an envoy-centric approach distracts and detracts from important dialogue and mediation efforts conducted outside a central channel and at other levels.

Mediation paradigms influenced by complexity science and systems thinking have been gaining traction. As a UN expert says, they typically espouse a "multi-level, multi-focus approach to complex situations", conducted by a range of actors. Such approaches tend to emphasise the importance of complementarity, especially formal and informal networks of mediation and other actors working in diverse but symbiotic ways. The United Nations, according to one scholar-practitioner, should "bolster an existing ecology of peacemaking and peacebuilding in places, and not [act] as an external, heroic intervenor". Some practitioners emphasise decentralisation and localisation, on the basis that "sustainable peace is built on local sinews", as one UN envoy puts it. Proponents of this line of thinking argue mediation organisations should increasingly establish local operations, recruit national staff, partner with local organisations, and support "insider mediators". Set against this, national actors often face limits, risks and constraints, and high-level mediation or facilitation efforts, whether national, international or a combination of both, are almost always required. As one former envoy puts it: "[M]ediation is part of politics…. [and] politics is an elite business." Such efforts may prove crucial in some cases, especially interstate conflicts such as the Russia–Ukraine war.

Organisational problems

Organisational problems exist across the field of mediation. Interviewees, however, tended to focus on such issues in relation to the United Nations. Determinations of which intergovernmental mediation actor takes the lead in any given conflict are not always guided by the considerations of effectiveness. UN mandates to support a host country's government can compromise an envoy's mediation role. UN missions are typically multidimensional, involving multiple agencies, funds and programmes, which places huge demands of time and energy on envoys. As one practitioner observes, this "locks processes into this *perpetuum mobile…* where everything, it's about that, and nothing is about what actually happens outside, where the real world exists…. I think that basically envoys with the system that we have right now, basically spend 75 per cent of the time just on this [internal] crap… rather than actually dealing with anything else." Excessive rules and regulations absorb valuable time, and stifle the proactivity, spontaneity, responsiveness and risk-taking that mediation work sometimes requires. As one leading practitioner says, "The UN is an invitation to what could be possible, but it is also a very bureaucratic entity, a very heavy, actually I would say hyper-regulated entity…. [And] I would say that culturally, the bureaucracy wins over politics." The relationship between UN staff at headquarters and in conflict-affected countries is strained, described by a former UN official as one of "endless strife", with some officials said to be "dedicated to bringing down" certain envoys. The Secretariat sees envoys as high-handed and detached: "mediators are [colonial] viceroys". The Secretariat is seen by field staff as bureaucratic, self-absorbed, slow-moving and unsupportive.

Determinations of the lead mediation role in any given conflict should be guided by considerations of effectiveness, with an emphasis on the potential for partnership. Envoys with mediation roles should not be overburdened with multi-sectoral responsibilities, and UN rules and regulations should be streamlined. Steps could be taken to improve the UN's headquarters–field relationship, enhance reciprocal utility, and leverage respective strengths. Steps could also be taken to improve the dynamism, responsiveness and political focus of the Secretariat, including through a stronger commitment to mediation by the UN's leadership.

3. SUITABILITY, SKILLS AND EXPERTISE

Unsuitable appointments

The United Nations lacks a rigorous, merit-based process for the nomination or selection of envoys. States are engaged in secretive, exclusionary processes with respect to appointments, involving

diplomatic manoeuvring, deal-making and horse-trading, in which mediation skills and experience are given little weight beside state interests and preferences. According to a senior UN official, "Everything is now [seen] through a highly politicised lens." This means that former politicians, officials, and diplomats are often appointed, many of whom are not effective mediators, which can limit the potential for progress on the ground. Such figures can be useful for access and influence but in too many cases they fail to work with mediation specialists. As one former UN mediation expert says, "[T]he problem is right now teams are only teams by name – it's still a one-person show." They may even lack capable and committed mediation experts in their teams, as explored below.

The United Nations and regional organisations should develop professional criteria for lead mediators with respect to skills and experience, and establish merit-based selection processes that are protected from political interference. Procedures should be put in place to prevent the appointment of individuals who do not meet competency criteria. Mediators should be encouraged, supported and advised to work closely with their teams and indeed other relevant local and international partners.

Lack of social and emotional intelligence

Social and emotional intelligence is critical to effective mediation work, enabling mediators to acquire a deep understanding of others, forge connections, build trust, strengthen relationships, and exert influence. Empathic listening and rapport building are crucial to be "able to connect with conflict parties, not just as conflict parties, but as persons". But the social and emotional intelligence of mediators is often sorely lacking, and is not yet fully recognised as forming part of the mediation skill set. "[T]he emotional intelligence of what I've seen in Track 1 is basically missing," says one former UN mediation expert. Arrogance, overconfidence and egotism impede self-awareness, especially of cognitive biases and assumptions, and hinder relationship building. These traits are all too prevalent.

Social and emotional intelligence, and related skills such as listening and self-awareness, should be recognised as fundamental for effective mediation work and included in job specifications. They are skills and aptitudes that can be enhanced by training and self-reflection, and should feature prominently in professional education and development, including coaching and mentoring, at all levels. There should be wider recognition that mediation work benefits from a degree of humility.

Lack of mediation and related expertise

Notwithstanding the expansion of the field of mediation over recent years, many practitioners lack mediation experience and expertise. In some UN missions, says one practitioner, "you find that the actual mediation skills are vastly, vastly lacking". "[T]here's a lot of dead weight in the UN missions," says another practitioner, "We used to have these people, we called them ghosts, because they were people who basically would just wander the corridors." Such individuals absorb resources that could fund qualified staff, yet they are rarely dismissed or reassigned, and mission staff have many other tasks. Thus, referring to the UN's mission in Somalia, a UN official says, "How much capacity did we have for mediation? I mean, next to zero."

Mediation support units, such as the UN's Mediation Support Unit (MSU), compensate for these factors but are seen as having a limited impact and are no substitute for mediation expertise among regular staff. Mediation teams sometimes lack expertise in the closely related fields of diplomacy, peacebuilding, reconciliation and transitional justice, in relevant fields and disciplines, such as psychology, governance and political economy, or in subject matters relevant to any given process. By way of example, one analyst says, "There may be some skills that are chronically missing in mediation teams. I think political economy analysis is one of them." Separately, some practitioners say mediation teams are often insufficiently aware of local norms and approaches to mediation. "We enter a room with our own set of values and norms… [thinking] there's no culture associated to it."

Technical aspects of mediation should not be overstated but mediation teams should include individuals with experience and expertise in mediation and in relevant disciplines. That requires changes in recruitment and retention policies, and procedures to enable the dismissal or reassignment of UN personnel who do not meet relevant competency criteria and other professional requirements. UN political affairs officers should undergo rigorous mediation training; subject-matter experts should be recruited as and when required; and consideration should be given as to how to improve the impact of the UN's MSU, potentially through longer-term assignments. Separately, greater efforts should be made to understand and benefit from local mediation capacities and approaches.

4. KNOWLEDGE

Lack of local knowledge

Too often mediation efforts do not benefit from an in-depth and accurate knowledge and understanding of the local context. According to one practitioner, "You would be surprised at how many people don't have the right analysis… they don't have that granular information that is needed for a mediation process." Vital information is sometimes overlooked or dealt with superficially, such as relating to conflict drivers and motivations; interests and concerns; power relations; personality, psychology and relationships; and local culture. One practitioner provides a case example: UN staff in Libya attempted to convene an inclusive meeting "but they didn't realise that they [the invitees] were all coming from the same kind of tribe or the same family of tribes". Strikingly, political, social, economic and environmental factors are not always well understood. UN mediation guidance speaks of the need for preparedness, involving "comprehensive conflict analysis and stakeholder mapping". One former UN expert fulminates: "I'm going to actually invoke guidelines; they said 'preparedness'… [expletive]. We're not prepared. We hesitate to intervene, we intervene too late, and we're never prepared."

More extensive, rigorous and systematic efforts are required to acquire relevant information and conduct conflict analysis. These efforts must be comprehensive and multifaceted, ranging from psychological to socio-economic factors. They should draw on extensive engagement with local individuals, organisations and groups, to benefit from their knowledge and to take account of alternative perspectives. As one practitioner says: "There's a lot of really exceptional grassroots knowledge and capacity that just gets passed by." All of these efforts should be well-funded by donors, sustained over time, and encompass multiple perspectives.

5. METHOD

Prioritisation of agreements over relationships

Experts believe the field of mediation has overemphasised the signing of peace agreements at the expense of a focus on strengthening relationships through processes of dialogue and trust building. Agreements can mark important inflection points towards peace, but many fail within five years. They represent contingent commitments and require high levels of collaboration, usually in the face of serious resistance. It would be naïve to expect agreements to endure without a fundamental shift in the parties' relationships. As one scholar-practitioner says, "This obsession with moving fast to sign the agreement… as opposed to [changing] the relationship between the parties [means] you could have a perfect text and no agreement – no, genuine agreement." Similarly, a former UN envoy says, "You have to work on the relationship between [the adversaries]… If you don't try that, how on earth do you expect this to work? They will be enemies in government. And that's what's happening all over the world." Paradoxically, the dogged pursuit of agreements leads to the overapplication of pressure on the parties or the signing of elite pacts that fail to address conflict drivers, which undermine the prospects for sustainable peace.

A central focus of mediation efforts, especially in intrastate conflicts, should be to bring about a positive change in the relationship between the parties. Agreements can be vital for the achievement of

sustainable peace "but they are one step on a longer path and are not the end in and of itself". They are part of a deeper, wider, longer-term process that seeks to help the parties, and their constituencies, move from zero-sum thinking towards a sense of interdependency. A key test, especially in intrastate conflicts, is the parties' ability to settle their differences peacefully. This, as one scholar-practitioner puts it, is "tied to the quality of relationships, not to the quality of the written contract". As a practitioner says, "We're talking about human beings, and we forget that." It is not only relationships between warring parties that matter. To guard against the tyranny of elites that could undermine peace, mediators working on intrastate conflicts should support the establishment of processes that strengthen relationships between groups throughout society. Furthermore, peacebuilding and reconciliation are required at many levels, and over time, to restore the social and psychological well-being of society as a whole.

Lack of ownership

Peace processes place huge demands on the parties and therefore require a strong sense of ownership – but this is often lacking. That is partly attributable to the model of a high-powered, external problem-solver. As one UN expert says: "I think the idea of an external person parachuting in and solving the problems, that's part of the paradigm, and it's part of the problem." Mediation techniques vary, but some mediators rely on pressure, and yet a sense of ownership cannot be compelled. Too often mediators "come with a solution already half-baked, that they try and sell" to the parties, as a UN mediation expert puts it, but this defeats the object of enabling parties to find their own solutions, which is the key to sustainability. As a scholar-practitioner says, "[M]ediators are getting it wrong when they see this as a puzzle to be solved, as a solution lying in wait, as a problem that requires their brilliant creativity and imagination to see the solution that somehow evaded the parties. That is just hubris, ignorant and stupid." These tendencies are evident in some of the diplomatic efforts relating to the wars between Russia and Ukraine and between Israel and Hamas.

Mediators should look to promote ownership, agency and a sense of responsibility on the part of the parties with respect to the form, substance and outcome of the process. "[T]he mediation needs to be managed in such a way," says one scholar, "that it's the parties themselves that generate the solution… [It's] about shifting the agency away from us to the parties to the conflict." Especially in intrastate conflicts, mediators should consider how to help the parties achieve a sense of ownership among the population as a whole. In an era of internationalised conflict, mediators may also need to secure the support or non-objection of regional and international actors. And they should accept the potential trade-offs of ownership: processes that may diverge from best practice and the peacemaking canon, but which have the buy-in of the parties.

Mishandling confidentiality

The leaders of conflict parties typically do not wish their interactions and exchanges with an adversary to be made public, believing that they would be accused of appeasement, weakness and lack of resolve. Such moves can generate strong opposition, lead to fragmentation, and jeopardise a leader's authority. Furthermore, trust building in public view is often implausible. Thus, says one UN envoy, "The base of a negotiation is discretion." Yet, some prominent peace processes are highly publicised, even in their early stages, which can hamper progress. "[I]n the last 20 years or so," says the envoy, "mediation has become a show. It's like a talk show." On the other hand, secret processes, when revealed, can generate a strong sense of exclusion by relevant groups and the affected population.

Mediators should use confidentiality for trust building and use transparency to generate wider national buy-in to peace processes. As one former envoy says of Libyan talks, "[I]n order to boost their legitimacy, we had to open up the process." Creative approaches mean confidentiality need not preclude a level of openness and inclusion, such as distinguishing between certain kinds of information, establishing multiple channels, phasing disclosure over time, and developing calibrated information-sharing protocols.

Deficiencies in strategy and technique

Strategic thinking involves the identification of goals and a viable plan of action to achieve those goals, which incorporates intermediate objectives. Yet, mediation practitioners typically start with means rather than ends. In fact, they tend to frontload dialogue activities, without a rigorous consideration of whether and how this contributes to the achievement of intermediate or longer-term objectives. Strategies are sometimes entirely absent. As one scholar-practitioner says, "I've been in… I can't tell you how many situations where there has literally been no strategy." Among other things, a strategic approach requires the aptitudes of critical thinking and creativity, which are scarce in the field of mediation. It also requires good judgment, and facility with mediation methods and techniques, developed and applied on a case-by-case basis. Yet, too often elementary methods such as trust building, perspective taking and interest-based problem solving are overlooked or mishandled.

Conflicts defy linear causality but strategic thinking and proficiency in mediation techniques are essential to improve effectiveness. Mediators and mediation teams should be required to develop strategies, which set out long-term and intermediate objectives and the means by which those could be achieved. They should shape their activities around these objectives, and regularly evaluate the degree to which their efforts contribute, or could contribute, to their achievement. They should promote critical thinking and creativity, while ensuring that senior personnel are familiar with process design, and capable of applying key mediation methods and techniques.

However, in more fragmented environments mediation actors must also be ready to diversify, and indeed a process of diversification is already underway. It is an "open secret" that mediation organisations rarely mediate. To quote one practitioner: "[T]here's this focus on mediation as… how do you negotiate between the parties, and very, very few people in the field actually do that part, right?" As one scholar-practitioner says: "[Y]ou have to be really creative even about mediation… [and consider] mediation without mediation, or mediation without mediators." Increasingly, mediators need not only to mediate and facilitate, but to manage, orchestrate, mobilise, persuade, motivate, connect, and advise.

Mishandling inclusivity

Inclusivity, in this context, refers to the means and extent to which the views, interests, needs and concerns of the conflict parties and all other stakeholders are represented and integrated into a mediation process and its outcome. There are powerful and compelling reasons for establishing inclusive peace processes, especially in intrastate conflicts. As articulated by interviewees, inclusive processes are fairer, given that society as a whole will have to live with the outcome. They can help to protect a process from potential "spoilers" – actors which, if excluded, might take steps to oppose or undermine it. They can mobilise societal pressure behind dialogue, a "kind of leverage for peace", as one UN official puts it, and improve intergroup relations. Inclusive processes are more likely to yield inclusive structures of governance, and are more likely to serve the interests of society as a whole, as opposed to elite processes that produce "dirty deals", which benefit certain factions or groups. Having greater legitimacy and wider benefits, inclusive processes are likely to produce outcomes that are durable; whereas "elite deals without societal anchor have no chance", says a former UN envoy.

Some interviewees, however, have closely guarded reservations about the impact of inclusion on peace processes. Consider remarks made by two senior UN officials. According to one, "I'm not sure that we have data that inclusive processes mean more sustainable peace." According to the other: "I honestly– I'm not convinced that these processes hold all the magic that people think they do… What I worry about is I think it's becoming too much a question of ideology, rather than efficacy." Some experts question the viability of inclusive approaches given disinterest in inclusion among the conflict parties, and some major governments. One expert says the inclusivity agenda "doesn't seem to reflect the reality of power and who's involved now, nor the reality of what's actually happening on the ground. On the ground it is much more behind closed doors, trying to find arrangements between the most powerful armed actors."

Other interviewees point to the risks and demands of inclusive approaches. One mediator asks, "But how far can you go?... [L]ike a religious leader said to me, 'You know, I agree with everything you're saying, for the very simple reason that if I disagree, they'll kill me tonight.' I'm putting this man's life in danger, putting him into a process that he doesn't even want to be in, with, I think, a noble thought of inclusivity." Some have concerns about "overloading" processes of dialogue, which are already challenging. According to one practitioner, in some cases "you're sort of giving seats at the table to very, very small constituencies who are massively complicating the negotiations". One line of thinking draws attention to the capacity constraints of mediation organisations who face trade-offs and must prioritise. "You know, we as mediators coming in," says one practitioner, "how many battles are we going to fight?"

Some specialists object to the narrowing of inclusivity to questions around the involvement of women and youth, as opposed to other segments of society. Others express strong support for inclusive approaches but articulate concerns about some of the methods used to advance inclusivity, which are seen as formulaic and tokenistic. Some critique the use of parallel groups. Citing such efforts on Afghanistan, one practitioner says they are "really good examples of how tokenistic the multitrack process has become, and how redundant it has become because it's not really dealing with those driving the conflict. It's going: 'Did we have women? Tick. Did we have youth? Tick. Did we ask the civil society? Tick.' Okay, good, we're done with that. Now, let's get back to the hardcore political negotiation." Quotas for delegations are critiqued. As one mediator says, "In the question of women's participation, funders will say, you must have 30 per cent women on your teams. So, who do they bring in? They bring in women who are loyal to them, who will say exactly the same thing." Superficial or one-off consultations are also criticised. One former UN expert says a consultation in the Central African Republic was so disingenuous it "blew my mind", with participants at one point declaring: "'We didn't come all this way not to be heard.' And everyone [behind the consultation] called it a success."

Inclusive approaches are fairer and offer important advantages, but risks should be carefully managed; they should encompass but go beyond women and youth; they require political will, and should focus on substance rather than appearance. There is a case for incremental inclusion as processes strengthen over time, as reflected in the Colombian peace process. Some argue for a greater focus on outcomes as opposed to just representation. "No – inclusion is not the solution to everything," says one practitioner. "And you don't need to have an inclusive peace agreement all the time. Why should you? ... [T]here's too much focus on process inclusion, rather than outcome inclusion." Several specialists also argue for greater creativity in methods to advance inclusivity goals; and for mediation teams to ensure consistency with inclusivity goals in terms of their composition, policies and practices.

6. PREVENTION AND IMPLEMENTATION

Prevention

Many interviewees believe prevention is neglected and that mediation efforts come too late. "Most of the [UN] special envoys are all post facto, usually [in a] crisis situation, actually," says one UN expert. "They're coming in so late, you know, forget the prevention. I mean, you could talk about prevention, in the sense of escalation, but they are mainly super late." This is attributable to a lack of political commitment to prevention and a corresponding lack of resources. "[N]obody is willing to invest in prevention of conflict," says one scholar-practitioner. Several factors help to explain this. First, states face less pressure to act before crises erupt than afterwards. Second, the perceived incentives for prevention as opposed to response are lower because it is harder to demonstrate impact. As a UN official puts it, "[W]hen you succeed, it's difficult to show what has been achieved, what has been prevented." Third, affected governments often resist preventative efforts, as they typically seek to avoid any perception of weakness and prefer military solutions. A former UN official says "governments often want a military solution. They don't believe in the political solution." And fourth, the structure of the

international system, centred around state sovereignty, creates a major hurdle for external action if it is opposed by an affected government.

Some experts argue the principal responsibility for prevention work lies with diplomats and politicians, but there is also an important role for mediation actors. In particular, the United Nations could expand its engagement in low-profile prevention work. As a UN expert says, the organisation needs "more space within that kind of mandated process to be flexible, to be adaptive, to be impartial, to use the quiet, below-the-radar type of engagement, that seems to be essential to the efficacy of a mediation initiative". The United Nations should strengthen its long-term engagement in fragile environments for at least three reasons: first, to build understanding of the context and strengthen relationships with key actors; second, to ensure wider recognition of the preventative potential of development work, and improve collaboration between development, peacebuilding and mediation professionals; and third, to help to establish a wider network of institutions, including at regional levels, that are specially mandated and equipped to undertake prevention work. Furthermore, prevention work should not only be seen as preceding violence. As a scholar puts it, the need for "prevention is immediately present, as soon as the ink is dry on a peace accord".

Neglect and misconception of implementation

"Implementation" covers a multiplicity of issues, but many are directly and indirectly related to mediation. Strikingly, mediators are so focused on securing an agreement they often pay scant attention to implementation. As one practitioner says, "It's a bit like having a cancer patient and just having the surgeon, you know, knowing how to get out the tumour, but then the post-operative [treatment], the whole psychological support, the chemotherapy, all of that – that doesn't happen. There's no plan for it. We just bet on one thing; we focus only on one thing." Typically, international interest, effort and resources tend to dissipate in the post-accord period. According to one mediator: "[W]hat I see is usually an agreement has been reached, signed, sealed; and champagne; pat one another's back; laugh. Everybody disappears." Libya is cited as a case in point. After an agreement was signed in December 2015, "everyone sort of just vanish[ed] immediately afterwards", recalls one practitioner. "[S]ome of these agreements," says another practitioner, "they look great on paper, but there's nothing there to support their actual implementation." And yet the implementation of a peace accord can be equally, if not more challenging than securing the agreement, especially due to mistrust, weak institutions and wide-ranging resistance. As one mediator warns, "People think they're at the finishing line… It's the starting line." For these reasons the challenge of implementation, says one UN envoy, can be "the burial ground of these peace agreements".

Experts offer at least six interrelated reasons a mediation presence should be sustained after an agreement has been signed. First, a sustained mediation presence helps to maintain international political support and resources for an agreement's implementation. Second, mediation specialists can assist in the interpretation of the agreement and advise on its implementation. Third, they can support constructive relations between the parties, given the collaboration required and pressures they will face. As one former UN envoy says, "[R]elationships are so important, because if they're not at least significantly improved during the time of the negotiations, there's no way that they can manage this; they will be all alone…. faced with so much flak… And if they don't have a proper structure to support them, it's very likely it's going to go wrong."

Fourth, mediation personnel can advise the parties on managing opposition to the agreement or the threat from spoilers. Fifth, they can support broader efforts to help society overcome deep enmities and take steps towards reconciliation. "[A] problem I had in Northern Ireland," says one UN expert, "was people have this Disney image of reconciliation, instead of seeing it as a rugged place, where people actually are struggling with each other, but without fighting – that is the reconciliation process. So that needs to be built more into peace agreements."

Sixth, mediators may be required to help resolve disputes between the parties (or within the parties), whether or not they relate to the implementation of the agreement. A mediator says of Northern Ireland,

> We got to agreements in '98… After that, it took us nine years to get institutions up and running. Even after that there was a lot more negotiation that had to happen. People need to look at negotiation more as a permanent thing, not just a short-term thing where you go in, sort the problem out, and then it's all fine. That isn't the way it works. Peacebuilding [and] peacemaking are much more integrated than people think, and part of that's implementation.

International policymakers and mediators should ensure that sustainability is a central consideration in the design of any mediation process and during the course of negotiations. In the post-agreement period they should look to establish a more substantive, multi-skilled and sustained international presence to help manage enduring conflict dynamics. Indeed, in many cases a linear conception of sequencing – progressing through confidence building, pre-negotiations, negotiations, agreement, implementation, and transition – would be anachronistic and detached from reality. As one practitioner says, "We churn out a peace agreement and then we move into an implementation phase, and we do DDR [disarmament, demobilisation and reintegration], and then it's all done, and thank you very much, and we all go home." Rather, mediation efforts should be configured to take account of the non-linear trajectories of fragile and divided societies, and enable continual adaptation to changing dynamics.

7. LEARNING AND DEVELOPMENT

Inadequate professional learning and development

Mediation can be considered primarily as an art or a science, but the dichotomy may be misleading: scientific work benefits from natural aptitude just as proficiency in the arts benefits from tuition, and it is widely accepted that knowledge, training and practice are symbiotic. High-quality mediation courses have been developed but mediation training can be too detached from reality, and overconcerned with theory or technical issues. It may also pay insufficient attention to human psychology, behaviour and relationships. As one scholar-practitioner says, "Ninety per cent of what you're dealing with is in the field of human relationships and the emotional world…. You know, that doesn't easily fit into a curriculum." Courses are usually one-off events, and some are overly didactic.

Taken as a whole, the duration and regularity of mediation training is insufficient, including for international professionals who do not specialise in mediation. As one UN expert says, "[T]rainings: I think they're essential. They're not taken seriously." Renewed efforts should be made to ensure training tackles real-world problems and conditions, and includes skills to address psychological and behavioural challenges. Such courses should not neglect the realm of emotions. Priority should be given to learning cycles, rather than one-off events, with periodic elements of learning, application in practice, reflection, consolidation and development. Multimodal approaches should be promoted, including coaching for senior personnel.

Weak organisational learning

The mediation field has weak or inadequate systems, protocols and procedures in order to learn from its own experience. Speaking of the United Nations, one expert says, "[I]t's not a system that learns. It is not a system that's able to learn from its own successes and mistakes…. There's very little cross-learning… So that's a huge structural problem." The UN's Department of Political and Peacebuilding Affairs [DPPA], in particular, is seen as deficient at recording, analysing and learning from institutional experience, which appears partly due to the inclination to avoid criticism. One scholar-practitioner is damning: "I would say that DPPA sits at the complete opposite end of the spectrum [from the World Health Organisation] to the point of being almost anti-intellectual… as an entity it is probably the least receptive to learning from

experience." In particular, DPPA knowledge management is seen as weak, including for debriefs and handovers, with little space for reflection, and inadequate protocols for internal and external review.

Mediation organisations and relevant actors, especially the UN's DPPA, should strenuously seek to identify and apply lessons and insights from institutional experience. They should establish systems to improve knowledge management, enable self-scrutiny and critical thinking, make wider and better use of peer reviews and external assessments, and make greater effort to translate recommendations into action.

Underuse of research

Whilst the breadth, depth and sophistication of mediation research has increased over recent years, it can also be critiqued on several counts. Arguably, it is too piecemeal and fragmentary. An expert speaks of "shards of ideas and insights". Analysis based on datasets does not take sufficient account of good practice which makes progress short of peace, and conversely, may draw too many inferences from processes which are successful. And some studies are too disconnected from real-world challenges. One envoy says, "I have always found that the theoretical work is pretty much detached from the reality– the realities on the ground." Some specialists see peace research as too disconnected from contemporary geopolitics and international relations. Yet, it can also be argued that mediation practice is not sufficiently well informed by research: "What's the biggest problem with mediation?" asks the head of one mediation organisation. "It's probably that the science isn't applied." There is a gap between research and practice, which, according to one scholar-practitioner, hasn't improved much in 20 years. The UN's abeyant High-Level Advisory Board on Mediation, according to another scholar-practitioner, "was just pomp and circumstance, it was not substantive". The Academic Advisory Council on Mediation, intended to connect UN officials with mediation scholars, is seen as emblematic of an insufficient willingness in some parts of the United Nations to build closer connections with academic institutions and ensure the organisation absorbs and benefits from relevant research. One member of the group reports that at the last meeting the members "said to the conveners, 'You're wasting everybody's time… Either use this group or don't.'" The Council was discontinued.

Mediation organisations, especially the United Nations, and research institutions, should take practical steps to close the gap between research and practice, strengthen the utility and relevance of research, promote greater access to and awareness of research studies among practitioners, and enable more substantive researcher–practitioner collaboration and interaction.

8. SYSTEMIC ISSUES

Mixed motivations and lack of coherence

The field of international mediation has expanded dramatically at all levels over the past three decades. By one account, this increases the prospects for success; by another, the field is oversaturated. Compare the phrase used by two practitioners, "There are different horses for different courses," with these words of a mediation official: "I don't think there are any spots on planet Earth where a gunshot is being fired, and when we come, you know, there's not already one, sometimes two, sometimes five wannabe mediators who have fabulous ideas and have tried and have failed." The expansion is partly attributed to states seeking to burnish international credentials or expand their influence, and organisations seeking to bolster reputations and raise revenue. The arena is highly competitive, almost transactional and entrepreneurial – a "hungry and competitive sort of feast", as one UN envoy describes it. The pursuit of visible success can distort or undermine best practice – such as contributing to the neglect of mediation efforts at various levels; the prioritisation of short-term, tangible results; or the continuation of work with actors who are engaging in bad faith. These conditions raise "problems around the kind of chaos or cacophony which now swamps a conflict," as the UN envoy puts it, "with so many players all pulling in a [certain] direction, all backed by different national states". Rivalry, territorialism and lack of communication among mediation actors contribute to incoherence and work against progress. These

factors undermined dialogue efforts in Colombia 1999–2002, says one practitioner, and were "very detrimental to peace".

Experts suggest the field should guard against becoming an inward-looking, self-interested, over-competitive sector, rather than prioritising the interests of conflict-affected people. Donors should coordinate, in practical terms, among themselves. They should also promote communication, and, where useful and appropriate, coordination among beneficiaries. In some circumstances, mediators could play a greater role in orchestrating or mobilising a wide range of mediation actors to enhance coherence or achieve a suitable division of labour, as happened in Libya. A mediator, says one former envoy, is increasingly a "*chef d'orchestre*" as opposed to "*médiateur solitaire*". However, there is also a case for joint coordination mechanisms, or more diffuse and organic modes of cooperation, as one UN expert says, to "find cohesion and complementarity between the contributions that different people make".

Partial professionalisation

Progress has been made in professionalising the field of mediation, such as through the establishment of postgraduate courses, publication of guidance notes and in-depth studies, and an increasing number of meetings and colloquia involving experts and practitioners. But interviewees noted that the field lacks a rigorous commitment to establishing, maintaining and promoting high standards of practice. As one practitioner says, "I mean, you would never imagine that you would let somebody loose in… I don't know, performing surgery without actually having had some credentials… And in our field, this happens all the time." According to a scholar-practitioner, "[I]t reeks of amateurism, throughout." Some, such as one UN envoy, argue for "much, much, much, much more" professionalisation. "I don't think we've begun really. I think we're sort of 20 per cent down the path, and we've got 80 per cent to go."

There are questions and concerns about how professional standards could be developed, applied, and enforced. Specialists worry about "replicating the old paradigm", creating "gatekeepers", or penalising traditional practices. Some even think conflict parties might turn to mediation actors who eschew such standards. Arguably, those factors point towards an organic process of socialisation. Yet, consideration could also be given to the development of a voluntary code of conduct, encompassing key principles and standards, of the kind successfully developed for the burgeoning humanitarian field in the 1990s. Any process to develop such a code would need to be fully inclusive, including geographically, and involve the main mediation actors. The process could pave the way for a collaborative professional body of some kind, that could look to promote higher standards in monitoring, evaluation and accountability, which are widely seen as deficient. As one former UN official explains, "[V]ery often, the mistakes of the mediators result in an aggravation of the conflict, with the subsequent loss of life, destruction of property, etc. No mediator has ever been taken to task because of that." An emergent collaborative body could build on progress that has already been made to promote higher standards of practice, such as in relation to training, professional development, and professional exchanges. It could take steps to close the research–practice gap and advocate for changes that are in the collective interest of the field, such as merit-based appointments or long-term funding.

9. SUPPORT

Insufficient, inflexible, bureaucratic and short-term resourcing

Notwithstanding the flaws and deficiencies in mediation, its value is widely recognised by experts and practitioners. The cost of mediation work is small compared to the huge potential benefits of success. Ending or preventing war can save thousands of lives, spare immense loss and suffering, and avoid massive social, economic and environmental costs. It can avert the expenditure of vast sums on war fighting, humanitarian assistance, and in due course peacekeeping, recovery and reconstruction. Yet, international investment in peace is sorely deficient, and at a twenty-year low as a proportion of total official development assistance. Globally, government spending on international mediation is around

0.02 per cent of military expenditure. As one scholar-practitioner says, "[W]e take these things, which are hugely complex, and we throw a pittance of what I would call human potential – collective human potential – in trying to resolve them. I mean, if you were in business, it would be absolutely laughable." Practitioners say their ability to operate effectively is limited by insufficient funding and by increasing "projectivisation". That approach generally involves short-term, inflexible funding accompanied by onerous paperwork requirements.

Overall, states should boost their investment in peacemaking and in high-quality mediation work. They could increase the proportion of long-term, flexible funding, and streamline the administrative demands placed on recipients.

REFLECTIONS AND CONCLUSIONS

Drawing on the expert observations and insights outlined above, the author identifies eight propositions about the current state and future of international mediation.

1. **International mediation is in trouble.** Mediation objectives are almost always hard to accomplish, and the current operating environment makes mediation work even more difficult. Rivalry, division, complexity, and interrelated threats are creating serious challenges for many disciplines that operate in the international arena. But there is a general agreement among experts and practitioners that the mainstream field of mediation has been slow to adapt to new conditions. Moreover, practitioners identify flaws and deficiencies in virtually all major aspects of the field: goals, structures, appointments, expertise, methods, techniques, prevention, implementation, learning and coherence. Opinions diverge on a range of issues, but few defend the status quo. Mediation has huge potential utility but is falling short.

2. **There is a risk of overlooking fundamental problems within the field of mediation.** The field may be tempted to attribute this situation to circumstances, as denial, self-serving bias and reputational factors would suggest. There is a risk the field refrains from a critical examination of established structures, policies and practices due to an understandable tendency, in research and practice, to focus more on mediation efforts in specific cases, than the structure and operation of the field as a whole. This is also attributable to humanitarian imperatives and political pressures on decision makers and mediators to make a near-term difference in any given case. Thus, organisational or operational flaws are overlooked, and short-term exigency prevails over long-term effectiveness. This contributes to a kind of self-perpetuating performance paradox: as the field endeavours to make a difference in specific cases, it fails to address more fundamental problems, which impedes the overall impact of the field. As one mediator says, "I think mediation has changed and has shifted; [we've] forgotten some of our fundamentals. That's a problem." This is reinforced by the fact that contemporary mediation colloquia tend to address important new, specific, complex or advanced issues. UN reform is prioritising "data, innovation, digital, foresight and behavioural science expertise". These efforts are important, but they are no substitute for a critical examination of whether the field is getting the fundamentals right.

   This does not mean measuring contemporary mediation against the standards of an outdated paradigm. It involves a rigorous assessment of organisational and operational issues that are central to mediation effectiveness. Not least, that should encompass: what mediators are seeking to achieve over what timeframe; how mediation efforts are organised; the attributes, knowledge and skills of mediators and their teams; the methods they use and their priorities; their ability to learn from experience and benefit from research; and the strength, coherence and functionality of the system as a whole.

3. **The urgent priority is to enhance effectiveness.** Mediation's achievements following the end of the Cold War were significant but overstated, and gave rise, in some quarters, to overconfidence, even complacency, and outsized expectations. Mediation became a vehicle for the achievement of a multitude of national and international objectives, many associated with the West's liberal agenda. This was accompanied by an attenuated focus on the field's central purpose: to help prevent, manage and sustainably resolve armed conflict. Yet, the litany of wars in recent years constitutes a powerful case for a focus on mediation effectiveness.

   This is reinforced by what is likely to become an even more difficult operating environment due to increasing great power rivalry and hostility. The international system could fracture with severe implications for mediation work. During the Cold War the superpowers vied to support allies, overthrow adversaries, and dominate their regions. The United States attempted to overturn other governments no fewer than seventy times. And a majority of civil wars during this period were settled by military victory. A new era of great power rivalry and hostility could entail similar deleterious dynamics and effects. Global instability is likely to be exacerbated by other factors, including: climate change, desertification and large-scale population movements; rising interventionism by regional powers; the collapse of arms control and a new technological arms race; and the polarising and pernicious effects of disinformation and social media echo chambers. Simultaneously, as in the past, mediation efforts will be operating alongside formidable alternatives: power-based approaches centred around elite bargaining and militarised conflict management, which may not be as fair and effective as contemporary mediation efforts but could be more appealing to governments.

   Taken together, the catalogue of flaws and deficiencies described in this study, the highly challenging and deteriorating operating environment, and the likely rise of alternative approaches create an immensely powerful case for serious and concerted efforts to enhance effectiveness.

4. **To enhance effectiveness the field needs far-reaching change.** What is required is not just effective responses to individual conflicts, and broader adaptation and innovation, which are essential – but fundamental change in the way the system is organised and operates. The field needs structural and far-reaching change in multiple domains. The United Nations may be reluctant to initiate and lead a process to bring that about. Notably, the UN Secretary-General's 14,000-word "A New Agenda for Peace" mentions mediation only twice. Other prominent mediation actors may also resist the disruption, uncertainty and demands of change. But countless lives depend upon it. Mediation's record is too equivocal, the challenges are too great and the stakes are too high to settle for limited or superficial change. If the field cannot transform itself over the near to medium term, it may face marginalisation or even obsolescence during an era in which it will be desperately needed.

5. **Both specific and systemic changes are required.** Many specific changes to enhance effectiveness are broadly agreed: avoid overloading mediation processes, adopt longer timeframes, guard against overcentralisation, appoint mediators with mediation expertise and social and emotional intelligence, prioritise relationship building, promote ownership, strengthen professional and institutional learning and development, and achieve greater levels of coherence. Other changes, on which there is divergence, are less obvious. But identifying the change needed in any area, and how it should be implemented, requires a process of deliberation and debate. Such a process must build on changes that are already reshaping the field, and which are reflected in wider, systemic responses, especially:

   - pragmatism: a focus on what can realistically be achieved in any given circumstances;
   - diversification: the deliberate use of a wide range of methods and techniques, many of which have little resemblance to those traditionally used in mediation;
   - diffusion: multi-actor, multilevel engagement that is mutually reinforcing;
   - human-centricity: the prioritisation of psychological, behavioural and sociological knowledge and skills, including empathy; and

- sustained engagement: mediation long before, during and after periods of armed conflict.

These aspects of the field are not entirely new but are manifesting in new ways or acquiring new prominence. Broadly speaking, they are mutually compatible, but elements of some are in tension with others, and some are contested. Determining their validity and practical implications must be part of any change process.

6. **The field needs to professionalise.** One form of systemic change that is currently underway is professionalisation. Mediation may be an ancient practice, but it is a young field. As such, while important progress has been made, mediation has barely embarked on the process of professionalisation from which other fields have benefited over hundreds of years. Opinions on professionalisation vary among mediation specialists. But as this study has shown, amateurism and mediocrity are not uncommon; too often key personnel are lacking or unable to apply relevant knowledge and skills; levels of competence and capability vary greatly; strategies, methods and techniques are in many cases misjudged or mishandled; monitoring and accountability are weak; individual and organisational learning is inadequate; and the proliferation of mediation actors creates concerns about overall standards.

There is therefore a powerful case for more deliberate and concerted efforts to professionalise: to promote the highest standards in ethics, knowledge, methods and skills across the field. Why should international mediation, among human occupational endeavours of importance – from the military to medicine, from art to architecture – be exempt from such rigours? Professionalisation in art-based occupations demonstrates that the process need not stifle creativity, nor impose a single paradigm. The substance and form of professionalisation is a matter for debate and deliberation, and regulation would be impossible, but the need for a self-driven, collective effort to professionalise is unmistakable.

7. **There needs to be a viable process of change.** Specific and systemic changes, including professionalisation, take place organically, through a process of socialisation involving experimentation, demonstration, observation, research, and exchange. That is happening in the field of mediation but the process is slow, piecemeal, and incomplete. It is inhibited by the culture of secrecy, lack of cooperation, UN intransigence, the gap between practice and research, and disincentives for candour. These factors, the urgency, and the depth and breadth of change required, generate a powerful argument for an organised effort to try to catalyse and expedite change. Such a process, driven by the field itself, is no substitute for evolutional change but could expand, strengthen and accelerate the field's future development. The diverse nature of the field means the process could not seek to determine and impose change. Rather, it would seek to discuss, inform, inspire, support, enable and advocate for change. In due course it could form the basis for some kind of inclusive professional body that could nurture, encourage and support professionalisation.

There has never been a process of this kind for international mediation. What it looks like, in practical terms, and how it relates to and builds on existing efforts, is for the field to determine. There are many options. It could be initiated, for instance, by reviews of key issues conducted by diverse panels of leading practitioners, combined with interlocking consultations and colloquia focused on developing practical responses to flaws and deficiencies. In any event, the shape, substance and sequencing of the process is itself an important issue which should be the subject of collective deliberation. That raises the question of what attributes the process would need to succeed.

8. **Any such process requires self-scrutiny, debate, inclusivity and leadership.** The process requires self-scrutiny. Unlike other areas of peacemaking, such as peacebuilding or peacekeeping, the field of mediation has never been subjected to rigorous and systematic review, and no serious change process can be undertaken without a deep understanding of the field's flaws and deficiencies. It requires a thorough, serious and open-minded consideration of the evidence, drawing on high-quality research

and analysis, and embracing the challenge of disaggregation – in other words, what works under what circumstances.

The process requires what lies at the heart of mediation: constructive engagement. The process must enable respectful, honest and open discussion. It must encompass sensitive or controversial issues, such as inclusivity, pragmatism, professionalism, and the role of the United Nations, in which certain views are withheld for reputational, institutional and career-related reasons. But the suppression of views serves as an impediment to debate and saps the impetus for change. A well-organised process can create a safe space for difficult conversations.

The process must embrace the rich diversity of the field itself, and could be composite, comprising a number of related processes. It should include professionals of all gender identities, and those of different ages and backgrounds, and involve a wide range of local, national, regional and international mediation actors. The process should draw on the perspectives of donors and partners, current and former conflict parties, beneficiaries, and civil society. It should ensure full involvement and representation from the Global South, and encompass both traditional and contemporary forms of mediation.

Reflecting the multidimensional and multidisciplinary nature of mediation, the process should engage with the sister fields of diplomacy, negotiation and peacebuilding, and its close cousins, reconciliation and transitional justice. It should also draw on expertise in related fields of science, especially social, psychological and behavioural sciences, anthropology, political science, international relations, economics and war studies.

Finally, the process requires leadership – not least, vision, collaboration, and skilful management. It would substantially benefit from the United Nation's endorsement, collaboration and expertise. But the process will have the greatest power, legitimacy, and impact if it is led by the field as a whole. Other fields, such as humanitarian affairs, show that is possible. Mediation actors should come together to drive the process forward. If they do, the potential for far-reaching, positive change is enormous.

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Mediation is a limited tool for effecting change. Yet we, as practitioners, are expected to help parties accomplish one of the most difficult tasks on earth: to bring violent conflict to a sustainable end. It is impossible to know for certain what will be effective in what circumstances; and innate skills, intuition and creativity are hugely important. But that cannot justify a lack of rigour in how we scrutinise and evaluate our own performance. We must search for and seize any opportunity to improve. The implications of war are so horrific that the pursuit of greater effectiveness is not an option but an obligation. We, in the mediation community, should take up that challenge with a deep sense of urgency and commitment.

INTRODUCTION

1. BACKGROUND AND OVERVIEW

There are more armed conflicts today than at any point since the end of the Second World War.[3] Intrastate armed conflicts, in particular, have proliferated since 2011: from around 30 such conflicts, worldwide, in the mid 2000s, to over 50 in 2023.[4] To name but some current or recent cases, consider the conflicts in Syria, Yemen, Mali, Sudan, Somalia, Ethiopia and Myanmar.

As conflicts have proliferated, mediation efforts have expanded.[5] But the impact of those efforts is unclear. Two studies suggest mediation achieves a substantial level of success in three or four out of ten cases in which it is used.[6] But the complexity and changeability of conflict renders it difficult to judge to what degree positive outcomes are attributable to mediation efforts. Taking a wider lens, it can be observed that peace agreements, often reached with the help of some form of mediation, are only signed in around a third of all conflicts.[7] Worse still, in a large number of cases, peace agreements fail to prevent the recurrence of violence. Some studies suggest that in 30–50 per cent of cases in which civil wars have been ended by peace agreements, there is a resumption of hostilities within five years.[8]

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[3] Shawn Davies, Therése Pettersson, and Magnus Öberg, "Organized Violence 1989–2022, and the Return of Conflict between States", *Journal of Peace Research* 604, no. 4 (2023): 691-708, p 695. See: "With Highest Number of Violent Conflicts Since Second World War, United Nations Must Rethink Efforts to Achieve, Sustain Peace, Speakers Tell Security Council", United Nations Security Council, 9250th Meeting, SC/15184, 26 January 2023; available at: https://press.un.org/en/2023/sc15184.doc.htm. See also: "Our Common Agenda Policy Brief 9: A New Agenda for Peace" (New York, NY: United Nations, 2023); available at: https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf. The United Nations goes so far as to claim that one quarter of humanity lives in conflict-affected areas: "Our Common Agenda Policy Brief 9: A New Agenda for Peace", p 5.

[4] Anna Marie Obermeier and Siri Aas Rustad, "Conflict Trends: A Global Overview, 1946–2022" (Oslo: Peace Research Institute Oslo, 2023), p 9. Taking a longer temporal lens, the number of intrastate armed conflicts increased from the early 1950s until the early 1990s, when there were around 50 such conflicts worldwide.

[5] Jacob Bercovitch and Scott Sigmund Gartner "Is There Method in the Madness of Mediation? Some Lessons for Mediators from Quantitative Studies of Mediation", *International Interactions* 32, no. 4 (2006): 329–354. This article suggests mediation has been used in around two-thirds of all armed conflicts since 1945. Mediation does not always have a central role in conflict resolution efforts and some authors have suggested that the proportion of conflicts in which mediation is present may have fallen to around a third of all conflicts during the 2000s: Magnus Lundgren and Isak Svensson, "The Surprising Decline of International Mediation in Armed Conflicts", Research and Politics 1-7, April–June 2020.

[6] Jacob Bercovitch and Richard Jackson, *Conflict Resolution in the Twenty-First Century – Principles, Methods, and Approaches* (Michigan: The University of Michigan Press, 2009), p 32. Patrick M. Regan, Richard W. Frank, and Aysegul Aydin, "Diplomatic Interventions and Civil War: A New Dataset", *Journal of Peace Research* 46, no. 1 (2009): 135–146, p 140. The first study refers to the achievement of "effective outcomes". In the second study success was considered to be the achievement of a partial or full peace agreement. Academics have observed that success can validly be measured in different ways, that what qualifies as "success" depends on the case under consideration and that the durability of what has been achieved should be taken into account; see: Jacob Bercovitch and Scott Sigmund Gartner "Is There Method in the Madness of Mediation? Some Lessons for Mediators from Quantitative Studies of Mediation", *International Interactions* 32, no. 4 (2006): 329–354, and Scott Sigmund Gartner and Molly M. Melin, "Assessing Outcomes: Conflict Management and the Durability of Peace: in *The SAGE Handbook of Conflict Resolution* (London: SAGE Publications Ltd, 2009).

[7] Therése Pettersson, Stina Högbladh, and Magnus Öberg, "Organized Violence, 1989–2018 and Peace Agreements", *Journal of Peace Research* (2019) Vol. 56(4): 589–603. And: Lotta Harbom, Stina Högbladh, and Peter Wallensteen, "Armed Conflict and Peace Agreements", *Journal of Peace Research* (2006) 43, no. 5 617–631.

[8] See, for example: Jasmine-Kim Westendorf, *Why Peace Processes Fail: Negotiating Insecurity After Civil War* (Boulder: Lynne Rienner Publishers, 2022), pp 7-8.

There is a strong case that the apparent paucity of success in mediation work is attributable to the difficulty of the task, not least the strength and persistence of conflict drivers, the action of internal and external actors who oppose mediation efforts, changing geopolitics, and the increasing internationalisation of armed conflict.

But could mediation itself be more effective? A growing body of research suggests that the efficacy of such efforts could be enhanced, thus improving the prospects for peace.[9] Existing research and analysis identifies flaws or weaknesses in a number of areas, including mediation capacities and approaches – which points to the need for corresponding changes and reforms. Given the range and magnitude of current mediation challenges, and their human consequences, it is vital to explore any potential for achieving better results. That is the focus of this research, which also aims to contribute to the discourse on mediation effectiveness and catalyse a more vigorous debate on how the field should change.[10]

The literature that directly or indirectly addresses mediation effectiveness adopts a range of research methods, including work that draws on social and behavioural sciences, experimentation, observation, field research, case studies and statistical analysis of datasets. So far, there have been few, if any, in-depth and extensive consultations with international mediation professionals solely on this issue. By taking that approach, this study aims to make a useful contribution to this field.

The monograph has four main parts: introduction; context; flaws, deficiencies and propositions; and reflections and conclusions. The introduction commences (in section 2) with an account of the research method used, which relies on the views of mediation specialists themselves. Indeed, the study, as a whole, seeks to do justice to the remarkable array of insights, observations and ideas, derived from decades of experience. The next section (3) reflects on how interviewees tended to respond to the research – including their propensity to speak profusely about flaws and deficiencies, rather than how mediation could be improved – to help readers better interpret their views, and to understand the overall thrust of the study. The next section (4) draws attention to different types of international mediation and those to which most interviewees spoke – principally, Track 1 and Track 1.5 efforts in internationalised civil conflict, and often in relation to the work of the United Nations. Section 5 briefly reflects on the problem that international mediation seeks to address, namely, armed conflict. It acknowledges that preventing or resolving armed conflict is almost always difficult, and that mediators have limited means at their disposal to help bring this about. No critique of the field would be fair without acknowledging those fundamental problems.

The second part of the study is largely concerned with the contemporary context in which mediation takes place (section 6): an international environment of increasing complexity, division, instability and rising threats. This study is focused on how the field of mediation can improve; understandably, however, interviewees brought attention to the enormous contextual challenges it is facing, and which have an important bearing on any assessment of the field and its potential. The next section (7) attempts to encapsulate how mediation specialists see the state of their own field. In short, most believe it is in real trouble. This, many argue, is due to a failure of the field to adapt to new conditions. They also believe it is due to flaws, deficiencies and weaknesses which are explored in part three of the study. The final section of part two (section 8) draws attention to another dimension of the international context: the rise of alternative approaches to conflict resolution which might appeal to conflict parties but be far less conducive to achieving enduring peace, human rights and sustainable development. The rationale for the

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[9] As noted below, the author does not attempt to summarise this extensive and multidimensional literature, which is beyond the scope of this study, and which would risk oversimplifying, misrepresenting or understating important elements of the mediation canon and wider discourse.

[10] It is readily acknowledged that other practitioners and researchers are seeking to do likewise. Separately, in March 2022 the author published a short paper which highlighted some of the emerging findings of the research: Matt Waldman, "Falling Short: Exploring Mediation Effectiveness" (Stockholm: Folke Bernadotte Academy, 2022). The paper also summarises key issues raised by mediation experts at a colloquium held in Stockholm, in November 2021 (as noted below).

field of mediation to search for ways to improve is self-evident: to reduce loss, suffering and destruction wrought by war. It must also do so to retain its relevance and impact.

Part three, which is the backbone of this study, explores the flaws and deficiencies of the field of mediation, as described in such depth by experts and practitioners. They are quoted at length to give the reader a strong sense of their perspectives and reasoning. Each section also discusses corresponding implications and propositions for ways in which the field should change – either briefly or at length, depending on the extent to which this was addressed by interviewees. Readers should not therefore expect a streamlined, evenly structured argument, but rather a compendium of extensive quotations, of variegated substance scope and tone, and sections or subsections of irregular length, reflecting the overall disposition of specialist observations.

The sections are grouped into the following key areas of international mediation: (9) goals; (10) structures; (11) suitability, skills and expertise; (12) knowledge; (13) method; (14) prevention and implementation; (15) learning and development; (16) systemic issues; and (17) support. The taxonomy of broad areas and constituent sections has been developed not simply according to the logic or preference of the author. It also reflects the way in which the observations of mediation specialists tended to gravitate towards broad subject areas and cluster around certain issues.

No attempt was made to cover all dimensions of the field, and these categories were crafted to reflect the preponderance of opinion among interviewees. Readers should not expect to find a clean, coherent text with quotations marshalled behind clear lines of argument. The aim was to present the kaleidoscope of points and perspectives expressed by mediation specialists, and to draw attention, where relevant, to areas of convergence and divergence.

In part four of the study – reflections and conclusions – the author draws eight propositions from the research. This section draws attention to the risk of overlooking fundamental problems within the field of mediation, and makes the case for serious and concerted efforts to enhance effectiveness. This, it is contended, may require far-reaching change, in specific areas and across the system as a whole. To conclude, the author advances an argument for more rigorous efforts to professionalise the field, and the establishment of a viable process of change.

2. METHOD

The research focuses on international mediation, broadly considered as efforts undertaken at least in part by international actors, to assist two or more parties, with their consent, to resolve, manage or prevent armed conflict.[11] The research therefore focuses on mediation efforts that are internationally led or supported, such as those involving the United Nations, regional bodies such as the African Union, foreign states, coalitions of states, or international non-governmental organisations. The objective of the research was to evaluate the effectiveness of international mediation, as assessed by leading practitioners, and identify ways in which its effectiveness could be enhanced.

The main research method was 96 in-depth interviews with individuals who have significant knowledge and experience of international mediation.[12] This cohort comprised four categories: mediators, experienced mediation practitioners, academics with mediation experience, and others with relevant

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[11] Armed conflict here could involve conflict between two states, governmental forces and non-governmental armed groups, or between two or more such groups. Organised crime, urban violence and domestic violence cause tremendous harm in societies that might not be experiencing armed conflict. There are important questions related to the role that mediation could play in addressing those forms of violence, but that is beyond the scope of this study, which is focused on mediation efforts intended to resolve or prevent armed conflict.

[12] The interviews were conducted remotely by virtual means.

knowledge or experience.[13] The interviewees, whose names and affiliations are included in the Appendix,[14] include many of the world's most accomplished and respected mediation professionals.

Interviewees were identified using a "snowball technique", whereby a small number of practitioners were initially selected for interview, after which the researcher relied on recommendations given by interviewees. To enable interviewees to speak frankly, they were informed that their names would be listed in the ensuing publication but that specific points or quotations would not be directly attributed to them.

The research takes an inductive, "grounded" approach and thus uses a semi-structured interview technique. In each interview, the researcher noted the research focus on international mediation, as defined above, and posed a single question to interviewees: What could be done to increase the efficacy of international mediation efforts to resolve or prevent armed conflict?[15] In explanatory comments, the researcher underscored the focus on changes to enhance efficacy, considered as either preventing armed conflict or making progress towards sustainable peace. In essence, the research asks: what should be done differently to improve the prospects of achieving such objectives?[16] Most interviewees chose to focus on the question of how to resolve armed conflict, rather than the question of how to prevent it.

The use of the single question was deliberately limiting and expansive. It drew attention to a single issue – how to increase efficacy – but gave broad scope for interviewees to say how they thought that should be achieved. Indeed, the question was framed in order to elicit what interviewees considered the most viable and consequential changes with respect to enhancing effectiveness.

Overall, 96 interviews were conducted with 86 individuals, most of whom are mediation specialists, between November 2020 and June 2021.[17] As such, this research is one of the biggest consultations of its kind: the interviews generated more than half a million words of testimony.[18] The interviewees comprised 62 men and 24 women. Typically, interviewees' roles varied over the course of their careers. However, categorising interviewees by their main professional experience, the author interviewed: 27 mediators, including 18 current or former UN envoys; 39 experienced mediation practitioners; 15 academics with mediation experience; and five others with relevant knowledge or experience.[19] In this

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[13] The diverse nature of mediation careers means that these categories are not in all cases clearly distinguishable. It is acknowledged that a handful of interviewees do not obviously fall within one of the three categories mentioned. They were therefore included in the category which seemed the nearest fit.

[14] The affiliations noted are those at the time the interview was conducted.

[15] The goal of 'managing' armed conflict was not mentioned specifically in the central question because the focus of the research was the effectiveness of efforts to help end armed conflict or prevent it from occurring in the first place.

[16] The researcher also briefly mentioned some of the most prominent dimensions of the field, in order to illustrate the breadth of issues the interviewee may wish to cover: the attributes of mediation personnel, mediation approaches and methods, professional standards, structures and systems, and the prevailing paradigm. However, interviewees were urged to answer the key question in any way they saw fit.

[17] To preserve anonymity, each interviewee is referred to by a randomised code consisting of a letter and three digits, which are referenced in these footnotes.

[18] The magnitude of these materials required many months of writing-up and analysis, which explains the gap between the interviews and the publication of this study. Moreover, as discussed in section 3.5, the vast majority of issues raised by interviewees concerned enduring aspects of the field, especially structures, capacities and practices, which have not substantially changed since the interviews were conducted.

[19] There are a range of senior positions within the United Nations which can involve major mediation responsibilities, such as Special Representative of the UN Secretary-General, Special Envoy of the UN Secretary-General, and Personal Envoy of the UN Secretary-General. To reduce the likelihood that these individuals can be identified by their remarks, in this study UN officials with such positions are usually referred to as "UN envoys". A similar approach is taken when referring to the envoys of states, regional organisations or other intergovernmental bodies. Two of the 18 individuals referred to above as UN envoys in fact served as deputy UN envoys, and were included in this tally given their experience, responsibilities and seniority in relation to mediation and related

study, individuals falling within the first three categories are collectively referred to as mediation "professionals" or "specialists".[20] The cohort included 16 current or past members of the UN Standby Team of Senior Mediation Advisers ("UN Standby Team"). The breakdown of interviewees by their main professional affiliation is as follows: 44 non-governmental, 31 intergovernmental and 11 governmental.

The snowball technique used to identify interviewees generated a sample that may reflect the field of practice in terms of the gender imbalance at senior levels and the prevalence of non-governmental and intergovernmental mediation work.[21] The interview cohort reflects the predominance of approaches to mediation that are anchored in liberal norms, and which are typically associated with the West.[22] A majority of the cohort were over the age of 45, with two or three decades of professional experience, and this experience no doubt informed and influenced their responses.

The research also draws on ten discussions on mediation effectiveness, involving practitioners, experts, officials and academics, held between October 2021 and November 2022.[23] These events, referred to collectively as "colloquia", enabled the researcher to benefit from the views and insights of a wider group of mediation specialists. Indeed, the colloquia enabled the author to hear the perspectives of 72 experts and practitioners who were not individually interviewed for the research, over two-thirds of whom were women.[24] At several of these colloquia, the researcher was also able to present and explore emerging findings from the interviews.

As the interviews and colloquia were conducted in 2021 and 2022, it is possible that some of the quotations may not reflect developments since the remarks were made. However, the text has benefited from follow-up discussions the author conducted with interviewees and colloquia participants during 2023, and the comments of experts who reviewed this study in 2024. Those discussions and comments reaffirmed the ongoing relevance of the issues identified and explored in this study.

The study is based heavily on analysis of the interviews, which are quoted frequently and at length, and to a lesser extent, the colloquia. The extensive use of quotations is to give the reader a strong sense of the thinking, perspectives and rationale of those involved in international mediation, in which this study is

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issues. Separately, as the academics consulted in this study have experience of the practice of mediation, they are generally referred to as "scholar-practitioners".

[20] Some of the interviewees have other professional competences, such as in negotiation, diplomacy, dialogue facilitation, or analysis, and may therefore not describe themselves as a mediation professional or mediation specialist, but they nevertheless have significant knowledge and experience of international mediation. Almost all interviewees are or have been mediation "practitioners", even if that is not or was not their main professional activity. Most could be considered as mediation experts.

[21] However, as noted below, the colloquia enabled the author to hear the views of a higher number of women.

[22] The increasing prevalence of non-liberal approaches to mediation justifies future research on the effectiveness of such methods, including through in-depth interviews.

[23] These discussions have been convened by: the United States Institute of Peace virtually on 14 and 28 October 2021 and in Washington, D.C. on 19 July 2022; the Folke Bernadotte Academy in Stockholm on 22 November 2021 and in New York 26-27 April 2022; the UK Foreign, Commonwealth and Development Office at Wilton Park on 21-23 March 2022; Harvard's Weatherhead Center for International Affairs virtually on 21 April 2022; the Mediation Support Network virtually on 1 April 2022; by Oxford University's Department for Politics and International Relations in Oxford on 11 October 2022; and by NOREF – the Norwegian Centre for Conflict Resolution in Oslo on 1 November 2022.

[24] This figure accounts for individuals participating in the: USIP colloquia of 14 and 28 October 2021; FBA colloquia on 22 November 2021 and 26-27 April 2022; Wilton Park meeting of 21-23 March 2022; and in Oxford on 11 October 2022. (Participants in other colloquia were not included in the total as the time available for an in-depth exchange of views was limited.) Of a total number of 72 colloquia participants who were not individually interviewed for this research, 52 were women and 20 were men.

anchored.[25] Most interviewees expressed their views in direct and practical terms. To be consistent with this approach and to make this study accessible to readers who are not mediation specialists, the author has tried, insofar as possible, to minimise the use of jargon from mediation practice and literature.

To encourage openness the interviews were conducted on a non-attributable basis, and the colloquia were conducted on the basis of the Chatham House rule, which precludes attribution. For this reason, some information has been redacted from quotations where this could lead to the identification of the speaker.[26]

Drawing on the interviewees and colloquia, the study could be considered as a critical appraisal of the field by the field.[27] This methodological approach taken by this study has limitations. It relies on the views of mediation professionals who may be mistaken or biased in their judgements. It is generalised, in some cases impressionistic. It is only one research method among others, especially those based on case studies and datasets, that are required to assess the field of mediation. However, work that relies on analysis of case studies and datasets is not without methodological problems and challenges.[28] Moreover,

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[25] Due to the spontaneous nature of oral testimony, interviewees sometimes omitted certain letters, words or phrases, where these were implied. In some cases, in order to improve clarity or legibility, such words or letters have been included by the author in square brackets. Three ellipses (…) are used to indicate that words or phrases have been omitted; four ellipses (….) indicates that one or more full sentences have been omitted. Minor grammatical errors have been corrected, especially as for many interviewees, English is not their native language. An "en dash" (–) used immediately after a word in quoted text indicates an interviewee has not completed a full sentence. Please note that where an interviewee has special knowledge and expertise of a particular area, they are in some cases quoted several times in the corresponding section of this study.

[26] As noted, to reduce the likelihood of individuals being identified by the content of their remarks, certain words, such as a specific individual or country, are occasionally redacted. For the same reason, the gender of interviewees is not specified – although reference is made to the number of views expressed by male and female specialists in two of the subsections of section 13.5 on inclusivity. The nationality or regional background of interviewees is generally not specified unless they are addressing an issue to which that background pertains.

[27] The field is of course much broader than the interviewees and colloquia participants but considered together they do represent a significant portion of the most experienced practitioners in the contemporary field of international mediation.

[28] There are several such factors, four of which are mentioned below: complexity, which is perhaps the most significant, research constraints, outcome bias and selection bias. (1) Complexity. The complexity of any given conflict, involving a constellation of dynamic factors, makes it difficult to draw firm conclusions about the degree to which peace or progress towards peace is attributable to any given factor, including the particular nature and form of mediation efforts. By analogy, historical causation is often contested: two experts can differ on the causes of any given event. High levels of complexity can make it difficult for researchers to distinguish correlation or consequence, from causation. Comparative research, including that based on datasets, is not immune from attributional challenges, and the immense variability between conflicts may limit the applicability of any conclusions reached. (One negotiator and mediator, H578, makes this point: "Frankly, I have a hard time drawing meaningful lessons from one conflict, let's say Northern Ireland, to the Arab–Israeli issue. There are intriguing dimensions and similarities… but largely, I find, and have found that each conflict offers up an idiosyncratic analytical challenge, and also a very idiosyncratic, prescriptive challenge. So the thought of trying to look at the broad array of conflicts, from Ukraine, to Bosnia, to Northern Ireland, to Syria, to the Arab–Israeli issue, to Western Sahara, and to develop a set of lessons or to-dos… the prescriptions, is just in my judgment– not only is it a merciless task, I think ultimately, it will falter on the realities of the granular nature of each conflict.") Additionally, datasets rarely capture the full range of variables in mediation efforts, not least: qualities, skills, expertise, knowledge, strategies, sequencing, methods, techniques, as well as past and related efforts. (2) Research constraints. Armed conflict typically limits the access of researchers to key decision makers, and their testimony may be distorted by political and motivational factors. Furthermore, the ability to identify progress short of resolution is especially challenging given that this may be reflected in developments that are hard to measure, such as trust building or attitudinal changes. (3) Outcome bias. Researchers may be inclined to draw inferences about the effectiveness of mediation efforts where there is a positive eventual outcome, even if that outcome was largely or wholly attributable to other factors. Conversely, mediation efforts that could have been effective were it not for confounding factors may be overlooked. (4) Selection bias. The vast range and diversity of historical conflicts means that researchers can without difficulty select several different cases that appear to support any given

testimonial evidence can be of considerable value, especially when non-attribution encourages candour. Indeed, there is a strong case that the views of highly respected professionals with decades of experience in multiple conflicts should be carefully considered in any assessment of how to enhance international mediation. Interviewees had over 1,500 years of mediation experience between them. This does not of course mean that they are right. But it does mean that their views should be taken seriously.

The approach taken – allowing interviewees to determine the substantive content of their responses – means the study has breadth rather than depth. It conveys the broad brushstrokes of opinion rather than the fine point detail of scientific inquiry. It cannot address individual issues with the nuance, specificity and complexity of academic studies. The author makes no attempt to capture the vast academic literature on international mediation, which was never the intention or objective of this study. But the study does reflect the priorities of mediation specialists – mainly practitioners – when it comes to their views on the question of where and how the field of mediation should improve. It attempts to capture their thinking, which factors they see as being of most significance, and where their views converge and diverge. The study therefore presents constellations of view and insights. The author hopes there is value in presenting multifarious voices from the field on a range of issues in a single study. He hopes it might be of interest to researchers. Moreover, as noted, he hopes it will inform and invigorate the wider debate about the future of mediation.

3. PREFATORY OBSERVATIONS

Several observations can be made about interviewees' responses that are tangential to the central research question but have a bearing on the way in which those responses are interpreted, and help to explain the content of this study.

3.1 Outpouring

In response to the central question – What could be done to increase the efficacy of international mediation efforts to resolve or prevent armed conflict? – interviewees were voluble, expansive and motivated. Almost all interviewees had a lot to say about mediation effectiveness and believed it was an important issue. None argued that the question was redundant, irrelevant or said there was little to improve. Most spoke compellingly on the issue and at length, drawing on personal experience. They expressed views they had developed over time and were eager to share. The non-attributable basis of the interviewees seemed to encourage honesty and openness, leading to the expression of views that are more candid, forceful, critical and far-reaching than are typically seen in the mediation discourse.[29] This is another reason why interviewees are quoted at such length in this study. Overall, the conviction and fervour of interviewees, and the force and scope of their arguments, strongly suggest that the issue of mediation effectiveness deserves wider and deeper consideration by the field as a whole.

3.2 Substitution bias

The central research question is difficult to answer. Many interviewees therefore, in effect, gave answers to related questions that are easier to answer – a heuristic psychologist Daniel Kahneman describes as

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proposition. None of these factors invalidate work on mediation effectiveness based on research and analysis of specific cases. However, they do suggest that alternative and complementary research approaches may also be of value.

[29] To quote one practitioner (M105): "It's honestly so refreshing to have a conversation like this with you. And, you know, to move beyond definitions, and, you know, we almost– we have a script, we know what to say, right? But to have this kind of free-flowing discussion about reflecting on the fundamentals, as you say – this is the first conversation I've ever had like this. Can you imagine, in all my years?"

"substitution bias".[30] These unspoken easier questions were typically along the following lines: "What is going wrong in mediation? What is your experience of mediation effectiveness? And what are the components of successful mediation?" The substitute questions, however, did not render the responses obsolete for the purposes of the research. The identification of flaws, weaknesses or deficiencies in mediation practice enables inferences to be made about steps that could address those shortcomings and potentially increase effectiveness. Individual professional experience of concrete cases is crucial for informing judgements about mediation effectiveness. And assertions about the components of effective mediation can usefully draw attention to ways in which current capacities or approaches need to improve. A preponderance of interviewees' answers tended to address the first substitute question – "What is going wrong in mediation?" – which is reflected in the shape and substance of this study.

3.3   Overgeneralisation

Interviewees were predisposed to make generalisations about the mediation field as a whole based on their particular, idiosyncratic experience. This arguably leads to overgeneralised judgements about effectiveness. As political scientist Robert Jervis puts it: "[A] person learns most from events that are experienced firsthand, that influence his career, or that have major consequences… This sample is idiosyncratically biased because of the accidental nature of what the person happens to experience firsthand…. So if people do not learn enough from what happens to others, they learn too much from what happens to themselves."[31] This effect is mitigated in cases where the interviewees have worked on several different conflicts, although many interviewees appeared to be heavily influenced by one or two professional experiences.

3.4   Heterogeneity

The tendency of interviewees to draw heavily on their own professional experience in their answers underscores the heterogeneity of mediation work. Variation is evident in myriad ways, not least: the local, national and international context, the nature of the conflict and the parties, conflict drivers, major interests and concerns, the mediator's role and authority, the scope and substance of dialogue, and key challenges and obstacles. This does not mean that generalised conclusions about effectiveness cannot be reached. However, it does suggest that any such conclusions must recognise that the factors which have the greatest bearing on effectiveness may vary significantly from case to case, and over time.

3.5   Structural and operational emphasis

The research method and the framing of the central question, focused generically on mediation efforts, tended to produce certain kinds of responses. First, although interviewees frequently referred to and drew on specific cases, they sought to identify factors which had general or broad applicability. Second, while many drew attention to the geopolitical context in which mediation now operates, and to trends in the nature of armed conflict, the overwhelming emphasis was on endogenous factors related to the field of mediation. Third, most interviewees spoke to key aspects of the field of mediation – its structures, capacities and practices – rather than the substantive content of policies developed and adopted in particular cases. In other words, their observations tended to be structural or operational in character, as opposed to applicative. For instance, interviewees spoke more to mediation capabilities, approaches and methods, than to the substantive shape and content of confidence-building measures, peace processes,

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[30] Daniel Kahneman, "Thinking, Fast and Slow" (London: Penguin Books, 2011), pp 97-99.
[31] Robert Jervis, "Perception and Misperception in International Politics" (New Jersey: Princeton University Press, 1976), pp 235 and 240.

ceasefires or peace agreements. It may be that research which is centred around analysis of case studies or datasets is more likely to generate findings that speak to such issues.[32]

4. CATEGORISING MEDIATION

The definition of international mediation used for this study has been noted above. However, interviewees drew attention to several different ways in which mediation can be categorised.

International mediation can relate to interstate or intrastate conflict, although that dichotomy has been eroded with the rise of internationalised civil conflict, in which the majority of interviewees gained most if not all of their experience. Their observations should therefore be seen as pertaining largely, though not exclusively, to such conflict.

Mediation can be conducted at "Track 1" level, with the leaders of conflict parties; "Track 1.5", with individuals connected to decision makers; "Track 2", with informed or influential figures such as experts, thinkers, former officials, religious and business leaders; and "Track 3", with and between community leaders and local civil society. Most interviewees' experience and therefore observations were geared towards Tracks 1 and 1.5 – an emphasis reflected in this study. Yet, many drew attention to the interconnectedness, even interdependency of mediation efforts at different levels.[33]

Some interviewees drew a distinction between the work of the United Nations (and to some extent regional intergovernmental bodies) on the one hand, and that of states and non-governmental organisations, on the other. UN mediation work is often though not always mandated by the UN Security Council, typically involves dealing with officials or the leaders of armed groups, and is in many cases publicly acknowledged. Mediation work undertaken by states and non-governmental organisations rarely has such a mandate, may or may not involve leaders and decision makers, and is often not publicised.[34]

Some interviewees observed that UN mediation work has often taken place in the most challenging environments, including in what some describe as "failed states", whereas states and non-governmental organisations operated both in those and other contexts, including where governments are able to resist the imposition of UN or regional mediation efforts.[35]

Although, as noted above, the professional experience of interviewees varied greatly, certain aspects of their experience were widely shared. Thus, many interviewees directed their observations towards the mediation role of the United Nations, rather than regional organisations, a disparity which is reflected in the text. In some regions the mediation role of the United Nations has been reduced or circumscribed, not least in Africa, where several of the organisation's missions have ended or are due to end.[36] But the

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[32] It is not suggested that such issues are unimportant; rather, that particular approaches to research generate findings with different emphases.

[33] U234

[34] According to one mediator (D233): "[F]or me there's two worlds of mediation. There's the universal United Nations, and her way of working, of course a much more difficult task. She's always under the light, or could I say the cameras and being watched. And then you've got that other world what I call a bit more of a discreet, silent mediation, works at national level, sometimes a bit at a regional level, coordinates... shares the burden, but it's quite happy to stay in the shadow[s]."

[35] T619

[36] The UN's peacekeeping mission in Mali (MINUSMA) ended in December 2023; the UN's political mission in Sudan (UNITAMS) was forced to close in December 2023; the UN's peacekeeping mission in the Democratic Republic of the Congo (MONUSCO) is due to end by December 2024; the UN's assistance mission in Iraq (UNAMI) will close by the end of 2025; and in May 2024 the Somali government requested the termination of the UN's political mission in Somalia (UNSOM). It should be noted that the UN's regional offices in Africa continue to operate from which mediation support can be provided to initiatives led by African organisations.

organisation still plays a significant role within the field as a whole, and many of the observations made by interviewees about the United Nations with respect to mediation effectiveness are also pertinent to regional organisations.[37]

Interviewees distinguished between mediation work conducted at different stages of conflict: before the eruption of large-scale armed conflict, during and afterwards. Most of the observations made by interviewees relate to mediation conducted during armed conflict, which is reflected in this study. Yet, as discussed further below, some convincingly rejected the notion of clearly defined and necessarily linear and sequential stages of peacemaking associated with preventative action, pre-negotiations, negotiations, agreement and implementation.[38]

Most interviewees shared observations that involved substantiated generalisations about aspects or elements of the field of mediation and mediation practice. Of course, mediation takes many different forms, and is conducted by diverse actors in varying circumstances. Any generalised assertions or arguments must therefore be evaluated in conjunction with an assessment of how such contentions should be disaggregated and given greater specificity according to the particular conflict or kinds of conflicts under consideration. And yet interviewees were demonstrably of the view that substantiated generalisations are a valid and important part of any critical evaluation.

5. THE PROBLEM

Mediation seeks to achieve a lot with little. Any consideration of mediation effectiveness must start with consideration of the problem that it seeks to address: armed conflict.[39] By extension, it should be recognised at the outset that it is immensely difficult, in many cases, to make progress towards a sustainable resolution of armed conflict.[40] By way of explanation, interviewees pointed to two elementary sets of factors: the intrinsic nature of armed conflict and the inherent limitations of mediation.

5.1 Conflict drivers

Engaging in armed conflict is usually costly, dangerous and unpredictable. Conflict therefore rarely occurs in the absence of powerful and enduring drivers of violence, such as perceived aggression, predation, injustice or threat. Once initiated, armed conflict tends to generate self-perpetuating cycles of violence, centred around attack and counterattack. It is sustained and amplified by intense emotions, such as anger, hatred, fear and the desire for revenge. Cognitive biases, such as demonisation, attribution error and confirmation bias, compounded by propaganda, reinforce perceptions of adversaries as culpable, malign and hostile, and contribute to Manichean, existential and zero-sum thinking. Changing these dynamics can be near to impossible. As one mediation expert puts it:

> [M]ediation in high-intensity conflict has always been [expletive] difficult and will always remain [expletive] difficult…. What we are offering as mediators is compromise, accommodation, mutual coexistence. They're locked in a deadly struggle trying to exterminate each other…. [T]he miracle is that it sometimes works.[41]

Another mediation expert expresses a similar view:

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[37] C261

[38] X753 and U234.

[39] As noted, most interviewees shared their thinking on efforts to advance the prospects for a sustainable resolution of violent conflict, and this analysis largely follows suit.

[40] As noted, this tended to be the focus of interviewees rather than prevention or management of conflict.

[41] A827

[W]hen we're talking about scaled, violent conflict… they're doing it because they're driven to it for various reasons, usually existential or perceived to be existential – living space, homeland, identity, we can go on. [When I am asked by a donor,] 'Why would I give money to these people [mediators] who fly around and fail all the time?' You know, I partly tell him, I say, 'Look, the chances of success in this kind of work, the way it's done, are ridiculously low anyway – we should be congratulating anyone who gives it a shot.'[42]

5.2 Limits of mediation

Faced with an immensely difficult task, mediators seem sorely underequipped. Given that mediation is often undertaken by small states, intergovernmental organisations, and non-governmental organisations, rather than major powers, mediation teams are usually unable to shape the fundamental dynamics of armed conflict. They have minimal economic resources, coercive means or political power at their disposal, thus limiting their ability to change geostrategic, military, economic, cultural, social and even political dynamics on the ground.[43] As a scholar-practitioner says: "We don't have billions of dollars… And we don't have armies. We are talking. That's all we're doing. And the whole essence of it is to persuade through talking. I mean, that's diplomacy. But we're just trying to persuade people to change positions in some way that would align with a violence reduction and a sustainable peace."[44]

Arguably, mediators are beholden to "ripeness", the widely accepted notion that the resolution of conflict is more likely to occur when there is a mutually hurting stalemate, in which the parties believe they are unable to escalate to victory and believe a negotiated solution is possible.[45] This does not diminish the value of mediation efforts well before any periods of "ripeness". Mediators can undoubtedly influence ripeness, and a great deal of contemporary mediation work is undertaken to that end. Yet, it is unquestionable that at certain periods, a range of factors may impede progress towards a negotiated outcome. According to one UN official, what can be achieved largely depends on the "balance of forces".[46] Northern Ireland is cited by one expert as a case in point:

> George Mitchell, for instance, coming into the Irish situation, was only able to preside over something that moved because it was ready to move; because it was the eighth attempt at a serious peace initiative in 20 years. Each one built on the failings of the previous one, because enough people had died, because the IRA were finding it increasingly difficult to continue with the war, especially after September 11, and Irish America turning on terrorism. And so it's a bit of a myth for people to think that internationals will resolve a conflict anyway... It's more– it's more complicated. It has to be comprehensive, holistic. So the internationals need to have a more humble sense of contribution, and the contribution may be vital but it's nothing without what's going on locally.[47]

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[42] R845

[43] See section 17.1 below: government spending on international mediation is around 0.02 per cent of global military expenditure.

[44] R845

[45] I. William Zartman, "The timing of peace initiatives: Hurting stalemates and ripe moments", *The Global Review of Ethnopolitics* 1, no. 1 (2001): 8-18; and "Ripeness – The Hurting Stalemate and Beyond", in National Research Council, *International conflict resolution after the Cold War* (Washington, D.C.: National Academy Press, 2000), p. 225.

[46] B298 – referring to the array of relevant factors, not just the situation on the battlefield.

[47] B118

Some experts believe breakthroughs usually depend on a major development, such as an interrelated regional conflict, which substantially raises the cumulative costs of continued fighting, and therefore increases the relative appeal of negotiations.[48]

These factors – the strength of conflict drivers, limits to mediation and temporal constraints – help to explain why several UN mediators argue that "the power of a mediator is overstated".[49] According to one senior UN official, "I think one of the challenges about the mediation literature and the mediation discussion is quite often the vast overestimation of the power of the mediator."[50] A scholar and former UN official says, "I think the starting point is much more humility about what can be achieved…. [Success] is not just a function of the skill of the mediation or its determination."[51] One experienced UN envoy goes so far as to say, "The mediator is engaging with something over which he has no control, the outcome of which he or she cannot really determine."[52] This has implications for the way in which mediation is conceived and conceptualised. As a non-governmental practitioner observes: "I see mediation as a second-order tool. So, I don't see mediation as a tool that will transform international relations structurally, correct power relations … Mediation is not physics. It's not even engineering. It's actually plumbing."[53]

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[48] According to one negotiator-mediator (H578), "Conflicts do not get resolved unless the pain–gain ratio is altered. That is to say, there is sufficient amounts of pain [sic], which qualitatively and quantitatively, may be more than a party or two parties to a conflict have experienced before, accompanied by the prospects of gain [in negotiations]."

[49] C495

[50] F436

[51] I415

[52] E610. It is noted that the language used by this interviewee, and some others quoted in the study, does not take account of non-binary identities. Such usage has not been edited so that the reader sees the original testimony.

[53] I874

CONTEXT

This part of the study focuses on the international context in which mediation operates, which has an important bearing on what mediation efforts can achieve in any given conflict. It also covers the overall state of mediation, as assessed by experts and practitioners, and the re-emergence of approaches led by non-Western states, which are at variance from the prevailing mediation canon.

6. INTERNATIONAL CONTEXT

Numerous other factors besides the drivers of conflict and limitations of mediation help to explain why it is so hard to make progress in the mediation of armed conflict. Many of those factors concern the contemporary international context in which mediation operates. With regard to this study, these are exogenous factors, rather than endogenous factors that relate to the field of mediation itself, which are the focus of this research. However, no informed assessment can be made of how to enhance mediation effectiveness without considering such challenges. Indeed, many interviewees chose to explore these factors at length, and their implications for mediation efforts, before addressing issues more directly related to the field of mediation. There is a great deal of literature on these issues. The factors briefly described below, however, are those raised and inferred by mediation specialists, both in interviews and colloquia, namely: the complexity of contemporary armed conflict, international division, lack of political will to resolve conflict, the internationalisation of civil conflict, rise of authoritarianism, and manipulation of mediation.

6.1 Complexity

Mediators often operate in complex and fragmented environments.[54] In part, this reflects the fact that there are more intrastate armed conflicts, involving state forces, than at any time since the Second World War, an increasing number of which are internationalised.[55] Over the past thirty years there has also been a significant rise in the number of violent conflicts involving non-state armed groups and communities or groups organised according to religious, ethnic, or tribal affiliations.[56] Thus, mediation efforts increasingly have to contend with the "twofold challenge" of both transnational and localised dynamics.[57]

Interviewees describe operating environments in which there are a range of conflict actors operating at multiple levels and by different means. In these conditions it can be difficult to determine the interests, motivations and objectives of armed groups, where decision-making authority lies, and their relations with other actors, including transnational criminal networks.[58] It also generates challenges for formulating and implementing mediation strategies. As the head of one mediation organisation puts it: "We're seeing fragmented violence... the non-state armed groups and the militias, multiple level, multi-vectored violence in many situations, which, in many instances is much harder to mediate. Because the question is: Who are you mediating between? And what are you mediating towards?"[59] One former senior UN official describes the practical, day-to-day challenges facing UN envoys who are pulled in different directions:

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[54] Especially interviews: N291, D371, J403, and I603.
[55] Anna Marie Obermeier and Siri Aas Rustad, "Conflict Trends: A Global Overview, 1946–2022" (Oslo: Peace Research Institute Oslo, 2023), p 9. Over this period only in the early 1990s were there similar levels of intrastate armed conflict involving government forces.
[56] Anna Marie Obermeier and Siri Aas Rustad, *op. cit.*, p 21.
[57] B905
[58] K632
[59] A215

[I]t's just extraordinarily difficult – the three-ringed circus and the challenges that the mediator [faces]… if you're [a named envoy] in Yemen… you kind of wake up every morning with a sense of 'Oh, am I, you know, am I doing my engagement with the Saudis? Or am I reaching out to civil society groups or am I having a meeting on process design? Or am I looking at the ceasefire?' It's a multiple and fluid level of demand in response to the multiple and fluid nature of most of the conflict.[60]

Some conflicts are growing more complex due to the increasing use of hybrid warfare, in both organisation and means, which blends conventional military forces and operations with proxy forces, irregular warfare, asymmetric operations, cyber warfare, economic and criminal activities, misinformation campaigns and "grey zone" operations.[61] Though not always present, such factors add to the increasingly complex and ambiguous field in which mediators are often required to operate.

6.2   Internationalisation of civil conflict

Over the past thirty years civil conflicts have become increasingly internationalised, meaning that at least one of the sides receives substantial support for its warfighting efforts from one or more external actors. Research suggests this tends to increase casualties, prolong hostilities, and make it harder to achieve a negotiated outcome.[62] Mediation specialists agree. As one expert summarised:

> Regional and international involvement has just stepped up to a completely different level…. And then you've got neighbours that are regional powers that are ever more assertive and sort of throwing their own weight around, sensing change, wanting to get as much as they can out of it. They're not really wanting to end conflicts through compromise. They want to make sure that their allies win and see individual conflicts through the lens of their broader strategic position, competition with other powers, so that geopolitics has changed an enormous amount.[63]

This phenomenon is not ubiquitous but evident in many regions of the world. Consider Russian, Iranian, Saudi, Qatari and Turkish involvement in the Syria conflict, or Saudi and Iranian involvement in Yemen. As one observer put it: "The various powers that be [of the Middle East] all have their own agenda, and none of them have given up on the prospect that they might come out with their agenda being fulfilled."[64] Consider African cases in the Great Lakes regions, such as Rwanda's involvement in the Democratic Republic of the Congo or Russia's involvement in the Central African Republic.[65]

The nature and degree of international involvement varies from case to case. It can involve the deployment of foreign forces or establishment of proxy forces, involving a high level of orchestration and control on the part of the patron. It can also involve the provision of sanctuary, funding, weapons, logistics or training. In cases where external patrons or sponsors have control or significant influence, mediators confront major problems of access, engagement and decision making. As a UN envoy puts it:

> Now, you know, the picture has become much more complicated. It's not the national players anymore who really make the decisions and [there are] players without whose consent no deal is

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[60] F436

[61] Frank Hoffman, "Conflict in the 21st Century: The Rise of Hybrid War" (Virginia: Potomac Institute for Policy Studies, 2007).

[62] See Niklas Karlén, "Historical trends in external support in civil wars" in *SPRI Yearbook 2016 – Armaments, Disarmament and International Security* (Stockholm: SPRI, 2016).

[63] C457

[64] F701

[65] Z382 and O127.

possible…. In fact, it's hard to think now of a conflict which has not been internationalised, [which] makes it much more difficult to manage.[66]

In such circumstances, and with division in the UN Security Council, it may be that no configuration of mediation capacities or skills can make a difference. As another UN envoy says: "[E]ven if you throw the best possible mediator to any case, you get nothing, and you may be wondering whether he or she has done something wrong. No: it's simply because the dynamics have totally changed and the concerned parties are often no longer in control."[67] One former UN envoy, speaking of Libya, said: "There are so many proxies in there [Libya], that I'm not even sure one can mediate a settlement through only the Libyans themselves right now."[68] Echoing that, according to an experienced non-governmental practitioner, "[T]he parties that we're dealing with aren't the parties that can make the decisions."[69] He shared a striking illustration from the Syria conflict:

> You know, for 18 months, in Syria, we negotiated with a group of armed groups… on the opposition side, about their negotiating stance, what they would ask for – it was known as the 'steps process' behind the scenes. We eventually produced an agreement. That agreement got vetoed in two hours. They let us talk about this for 18 months. Two hours after we reached out [to Turkey], and said, 'Okay, this is what we'll negotiate on, if ever there's negotiations,' the guy called us back and said, 'We've spoken to Turkish intelligence and, and they've said no, so we will be pulling out of this whole process.' [70]

In most cases sponsors have varying levels of influence rather than control over conflict parties. But the provision of substantial, enduring support to conflict parties can serve to alleviate military and financial pressures, thus offsetting factors that might otherwise help to bring about a mutually hurting stalemate, the condition which, as noted, many mediators believe works in favour of negotiations.[71] Patron-client relationships can also create disincentives for the beneficiary to explore possibilities for negotiations, especially if the actor is dependent on the sponsor's support but knows that the sponsor disapproves of such efforts.

The former UN envoy quoted above on Libya even says that when conflict conditions emerge that favour negotiations the likelihood of external intervention increases: "Now, you get the hurting stalemate, and it's an invitation to a larger power to leap in and tip the balance [in their favour]."[72] Moreover, there are few international disincentives for doing so. Taking the case of Libya, the envoy observes that "there are no real penalties, as far as I can see, for the UAE [among others] actively jumping in… There's no real penalty for the use of mercenaries."[73]

Another dimension of the internationalisation of civil conflict, which is deleterious for mediation efforts, is that external influence tends to be unidirectional: towards the perpetuation or amplification of war fighting, rather than towards negotiations. This is largely attributable to the geopolitical calculations of the sponsor, and what they believe will best serve their interests. Consider the long-term support provided by Pakistan's military for the Taliban in Afghanistan, given its geostrategic concerns that India could acquire a substantial presence in the country.[74] This kind of dynamic may also reflect the fact that

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[66] Z325

[67] J403

[68] R131

[69] P840

[70] P840

[71] Erin K. Jenne and Milos Popovic, "Managing internationalized civil wars" in *Oxford Research Encyclopedia of Politics* (Oxford: Oxford University Press, 2017).

[72] R131

[73] R131

[74] Matt Waldman, "The Sun in the Sky: The relationship between Pakistan's ISI and Afghan insurgents" (London: London School of Economics Development Studies Institute, June 2010). The support of Pakistan's military for the

hostilities tend to be easier to escalate than to de-escalate. A decision to escalate can be made unilaterally by one side, whereas a process of negotiations requires political will on both or all sides. A sponsor can usually find ways to supply funding or munitions, but it is difficult if not impossible to compel a party to build trust and negotiate with an adversary.

6.3 International division

It is widely accepted among mediation theorists and practitioners that international agreement, especially among relevant major and regional powers, about how any given conflict should be managed, is often a significant factor in securing progress towards its eventual resolution. For example, individuals centrally involved in the Northern Ireland peace process say that it would likely not have succeeded without international consensus.[75] Yet, interviewees overwhelmingly describe a contemporary international environment of division and disagreement.

This is substantially at variance from the higher levels of international amity and coherence that existed in the 1990s, after the collapse of the Soviet Union and in the era of American global primacy, during which the modern field of mediation emerged. In many cases over that period coalitions were constructed in support of peacemaking efforts and mediators had the "collective weight of the [UN] Security Council" behind them, as one expert puts it, which afforded them credibility and leverage.[76] Even without that, they benefited from a more benign operating environment.[77]

The past decade has seen the intensification of division among major powers.[78] The United States and China are locked into a hostile, escalating, multidimensional rivalry centred around the struggle for power in Asia, and influence elsewhere in the world. The invasion of Ukraine has precipitated the largest armed conflict in Europe since the Second World War and plunged Russia and the West into a new cold war.[79] Global fault lines have emerged over global political and economic inequalities and Western dominance of the international order. The re-eruption of hostilities between Israel and Hamas in October 2023 has placed further strain on international relations, especially between the West and the Global South.

Although there are areas of global convergence, some mediation professionals see almost unmitigated division. According to one mediator, "There is almost no level in global affairs, where there is any agreement about how to address issues, almost no level at all."[80] For one expert, "The 'international community' isn't a phrase that means anything anymore."[81]

This context is seen as impeding or preventing the emergence of broad-based international support for mediation efforts. "I don't know any case where there is a united international response to a conflict,"

Afghan Taliban lasted throughout the period of the US/NATO engagement in the country until the departure of international forces in 2021.

[75] F701
[76] C457
[77] C457
[78] Not all conflict regions have seen increasing division, and in some conflict-affected regions, such as the Middle East, states have taken steps, since 2020, towards more amicable relations. Nevertheless, it is unarguable that deep divisions plagued the region for many years, hampering efforts to resolve the wars in Yemen and Syria, and destabilising the situation in Iraq.
[79] Arguably the Ukraine war has served to consolidate Western states but there is no guarantee that this effect will persist over the longer term if divisions arise over the cost, impact and risks of a protracted war.
[80] F701
[81] C457

says one practitioner.[82] Some emphasised that in some cases, like Libya, even like-minded states now found themselves in disagreement. In the words of a scholar-practitioner:

> The hard evidence shows very clearly that if you have a unified international community, the prospect of success [in resolving conflict] is much higher than if you have a divided international community. We know that. But it's worth stressing, because if we can't get our shit together as the good guys, how the [expletive] are we going to sort out the conflict between the parties?[83]

Echoing this, one senior UN official emphasises how for a mediator "unity in the [UN] Security Council is extremely, extremely important. And that is when you know, you can really speak with some level of strength when you deal with parties in conflict."[84] On the other hand, the official continues, "[W]hen parties see a divided Security Council and they have friends to protect them, then, you know, they're not going to budge on critical issues."[85] And yet, as a UN expert says, the Council is increasingly "defined by disunity".[86] Indeed, the UN Secretary-General himself has said the Council is "paralysed by geostrategic divisions".[87]

This context has contributed to the closure of UN field missions (as noted in section 4 above). It is seen as weakening the authority of UN envoys and rendering international mediation efforts dysfunctional.[88] As one senior UN official says, "It's vastly more complicated, almost impossible, when there isn't unity [among UN Security Council members and regional states].… So I think on a range of conflicts… across the board, they don't agree and so the mediator's job is, in fact, an exercise in futility."[89] Some say mediation efforts have been forced into a state of limbo during which major breakthroughs are impossible to achieve until the international environment changes. A practitioner acknowledges such efforts are now looking to achieve "interim outcomes that we hope will accumulate to something more".[90] As the interviewee explains: "In a lot of situations… you are working in an incremental mode for years and years…. [W]hat we need most for those pivotal moments [to secure real progress] is coalitions of states.… I think that the incremental stuff is basically 95 per cent of what this field does."[91]

6.4 Lack of international political will

One senior UN official observes that there is no shortage of generic abstract support for international mediation among Member States of the United Nations:

> I get quite frustrated by Member States who want to have thematic discussions on mediation in the Security Council, wherever, because it's kind of pointless, in that we all, everybody lines up and say 'Yes, mediation.' Nobody has ever thought that the pacific settlement of disputes was a bad thing. It's just when it comes to individual countries, then it gets tricky, because there are different interests. So as a broad area of activity, everybody supports it. It's the nitty-gritty of the

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[82] I874

[83] A827

[84] C562

[85] C562

[86] K632

[87] United Nations, "Security Council Paralysed by Divisions, Global Governance Failing to Manage Climate, New Technology Threats, Secretary-General Tells Doha Forum, Urging Deep Reforms", SG/SM/22078, 10 December 2023; available at: https://press.un.org/en/2023/sgsm22078.doc.htm.

[88] Z325: "Dysfunctionality in… contemporary mediation, ultimately is drawn from or gets its strength from the dysfunctionality of superpower relations within regions – by the hegemonic forces in those regions."

[89] M807

[90] I874

[91] I874. This point is taken up further in section 9.1 below.

politics and the interests, that kick in, you know, kick in when you actually come to do the job, that's hard.[92]

As noted, armed conflicts are intrinsically hard to resolve, and peace processes typically require determined efforts from both national and international actors to succeed. Mediation, it is observed by a UN official, is "all political will…. [and] it's always been about political will".[93] Yet, mediation specialists describe disengagement, disinterest and lack of political will on the part of states to resolve or prevent armed conflict. As one UN envoy says: "It seems to me that purposeful international action is at its lowest at the moment."[94] Interviewees lamented half-hearted, intermittent efforts to end wars. Such efforts, says the head of a mediation organisation, are "like the light, the beam of a lighthouse that goes round and occasionally focuses in on the problem and then goes round again and focuses back in on it".[95] Meanwhile, says the interviewee:

> [T]he people who are doing the mediation on the ground, who are assigned the role, don't have adequate backing from those states, [and] the international institutions, and are constantly trying to just paper over the cracks. And it seems to me that it's not a fundamental commitment to mediating the end of armed conflicts. It's a way of keeping them off the media agenda, and hoping that things won't go too badly wrong.[96]

Some practitioners believe the disengagement of the United States from some spheres of global affairs under President Trump adversely affected mediation efforts. As one UN envoy says: "There is some kind of disengagement, you know, by the major powers of the time or they have outsourced some of these 'to do lists' to regional powers… who also have their own interests."[97] Thus, mediation efforts are seen as lacking the diplomatic backing, leverage, and resources that can make a difference.

States are not only seen as lacking the political will to end armed conflict but to manage and mitigate it. In the Syria conflict international pressure was placed on the government not to use chemical weapons, but such pressure was inconsistently applied. Moreover, government forces were freely able to deploy systematic violence against civilians in defiance of international law. According to the UN envoy, "Governments have massive amounts of weaponry, and they can use that at [their] discretion, almost, without any, any constraints whatsoever."[98] This arguably leads to a higher scale and intensity of violence which, as research shows, makes efforts to resolve the conflict even harder.[99]

6.5   Liberal decline

Many international mediation efforts, especially those led by the United Nations, are associated with the West and with the "liberal" values of human rights, democracy and inclusion, and to different degrees the issues of justice, accountability and reconciliation. Yet, as many interviewees and colloquia participants see it, recent history has undermined the perceived legitimacy or moral authority of the West and cast a shadow over such norms. Consider Western foreign policies, such as the 2003 invasion of Iraq or the 2011 intervention in Libya, and the perceived hypocrisy in defending and advancing liberal norms, such as indifference towards the Arab Spring and failure to take action to stop the slaughter of civilians in Syria. Consider the perception of double standards in the application of international law to the Israeli-

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[92] F436
[93] R845
[94] Z325
[95] A215
[96] A215
[97] J403
[98] J403
[99] Jacob Bercovitch, Richard Jackson and Richard Dean Wells, *Conflict Resolution in the Twenty-First Century – Principles, Methods, and Approaches* (Michigan: The University of Michigan Press, 2009), p 43.

Palestinian conflict. Consider also, what is seen as the West's reluctance to take meaningful steps to tackle global inequalities, its unwillingness to do more to compensate the Global South for the loss and damage caused by climate change, and its inward-looking or nationally focused responses to the Covid 19 pandemic. This is reinforced by what one UN envoy describes as "the slow decay of democracy" reflected in the rise of political populism, polarisation, and upheaval in liberal states.[100] Thus, the credibility of mediation efforts has, in the eyes of some observers, been tainted by association.

At the same time, authoritarianism appears to be on the rise. The geopolitical influence of non-liberal powers, such as China, has been steadily expanding; prominent democracies, such as India or Turkey, have adopted policies at variance with liberal norms, and some have been replaced by authoritarian political systems. Since 2021 in Africa alone, there have been coups or other antidemocratic takeovers in Burkina Faso, Chad, Gabon, Guinea, Mali, Niger, Sudan, and Tunisia.[101] As one practitioner says, "[T]he liberal order is crumbling, this other [non-liberal] alternative is emerging."[102] In these circumstances, governments may be more inclined to resist the imposition of mediation efforts that may seek to advance liberal norms and thereby undermine their own grip on power.[103]

6.6 Misuse of mediation

A growing number of states and organisations claim to be engaging in international mediation. Correspondingly, some interviewees are concerned that genuine mediation efforts are being undermined by states using mediation as a vehicle for advancing their own interests and foreign policy objectives. As one mediation specialist observes:

> Jared Kushner's mediation in the Middle East [addressing the Israel-Palestine conflict and wider region]. So, you pursue your interest-based policy goals and call it mediation and it's a bit more palatable to people maybe. I think something is happening there and we shouldn't be duped by that…. [And regarding certain African conflicts] let's just be clear – the EU here is pursuing an interest and imposing its will on the parties, and let's not call that mediation.[104]

Yet, local actors discern the disingenuity of mediation rhetoric when it conceals efforts that are not consistent with such public statements. As a non-governmental mediation specialist says:

> I think you can get to a situation like Syria, like in Libya, where these statements come out, these groups are created, the internationals rally behind them, or the Westerners more than anything, rally behind them, put all their emphasis on them. And they're just fictitious. They do not– you know, powers that are intervening or saying things that they don't really believe, and the actors on the ground know it's bullshit.[105]

By extension, a former UN envoy says of the term mediation, "I just really worry it's just becoming a word people use that conceals more than it reveals."[106] Mediation literature acknowledges the potential utility of partial mediators, who can exercise influence or leverage over one or more parties.[107] Consider

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[100] J403

[101] "Recent coups in West and Central Africa", *Reuters*, 30 August 2023; available at: https://www.reuters.com/world/africa/recent-coups-west-central-africa-2023-08-30/.

[102] T547

[103] Discussed further below in section 8.

[104] G535

[105] D371

[106] D438

[107] William Zartman and Saadia Touval, Chapter 25 – "International Mediation", in Chester A. Crocker, Fen Osler Hampson and Pamela Aall (eds.), *Leashing the Dogs of War* (Washington, D.C.: United States Institute of Peace, 2007), pp 443-444.

an historical case: the successful mediation role played by the United States with regard to Egypt and Israel at Camp David in 1978, notwithstanding, and perhaps partly because of its close ties to Israel. But if a so-called mediation effort is primarily intended to advance the interests of the state concerned, there is a clear risk that the process will fail. Not least, one or more of the conflict parties may desist from engaging in such efforts. In the words of a former senior UN and African Union (AU) mediator: "France, and the others and the US cannot be impartial mediators because they're not impartial; they have double standards…. and [are] promoting their own interests first."[108] More broadly, if foreign policymaking is widely camouflaged as mediation, it could increase suspicion of genuine mediation efforts, undermining their perceived legitimacy and impact. As one practitioner says: "So that is a problem… that some of these states are using mediation as a foreign policy because it also becomes a cover, a façade, for something else. What that eventually does is it taints mediation in itself."[109] Such issues are of significance given the centrality of credibility and trust building to effective mediation.

6.7 Attenuation of mediation

The combined effect of the factors outlined in this section has been to reduce the overall traction and impact of mediation efforts. Against a backdrop of fragmentation, international division, and depleted political will, with increasing external support for the prosecution of hostilities, and to some extent the tarnished reputation and diminished legitimacy of mediation actors, conflict parties have little interest in negotiations[110] and believe they will face far lower political costs for eschewing or disengaging from mediation efforts. As one mediator says, "Before, the risks of coming into mediation and leaving the table were huge, something you didn't do. Today you can afford to do it."[111] And as the head of one international mediation organisation notes, "[G]overnments in particular, are much less willing to accept mediators now than [at] some times in the past…. In nearly all internal conflicts that we're working on, there's no way that they're going to take a mediator."[112]

7. OVERALL STATE OF MEDIATION

As noted above, there is immense diversity in the practice of international mediation, which means that field-wide assessments are indicative only. Furthermore, a large proportion of mediation work is: confidential and therefore not widely acknowledged; gradual or incremental and therefore lacking definitive successes; concerned with relationships, attitudes or views and therefore lacking tangible outcomes; and preventative, which means impact is hard to substantiate. Yet, among mediation practitioners and experts there is almost universal questioning, self-doubt and a belief that mediation is falling short. As one practitioner puts it, "[I]n general… the institutions that we have right now and the channels that we have right now, are not delivering."[113] Many believe mediation is failing, which is ascribed to both exogenous and endogenous factors.

On the one hand, many mediation professionals point to the challenges outlined in the preceding section related to contemporary conflict and geopolitics. Some argue that the field has failed to adapt to this new context. In essence, according to another practitioner, it is "working from an unrealistic and outdated

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[108] N200
[109] R545. The practitioner continues: "From that perspective, you know, again, states could do damage [to the field], because this is not their primary instrument. It's only one of many instruments. And they're happy to move to the next instrument when this one fails."
[110] A mediator observes that conflict parties are often "not looking at the process with interest anymore, but they've been pushed into the negotiations" – expert colloquium, 28 October 2021.
[111] D233
[112] T619. "Generally speaking, governments want to keep the UN out and increasingly actually want to keep mediators out." (Mediator, expert colloquium, 28 October 2021.)
[113] Expert colloquium, 28 October 2021.

playbook".[114] Although modern mediation has its roots in the Cold War, it was shaped by the political order of the 1990s in which the West, and the liberal political and economic paradigm, was ascendant. In short, as one expert observes, "You have a 1990s model for a twenty-first-century set of problems."[115] The report from a major gathering of mediation experts says developments in multiple domains "have left dispute resolution in a state of crisis".[116] A European government mediator underscores the impact this is having:

> Now we've got an old bear that is waking up and to tell the truth, the world is much more multipolar than we thought, and mediation has not been able to adapt from the end of the Cold War; [mediation] has gone through a shaky period of nearly 20, 25 years, in which she's done just about everything and nothing. Now she finds herself questioning her identity, saying basically, with nuances, it can't get worse than it is, so it can only get better…. There's a common agreement that we're in trouble…. [M]ediation, well she's in crisis even though we won't call it crisis and she's got to find a way out.[117]

On the other hand, mediation experts and practitioners also believe that elements of mediation practice are too often inadequate, defective or unfit for purpose. Consider these remarks from a former UN envoy: "Are there the right people? No. Right things? No. Professional standards? No. Structures? Inadequate. Yeah, I mean, it's really terrible. There're some success stories. So, it's not that everything is terrible, but I think things have moved in the wrong direction."[118] This helps to explain a strong and near-universal belief that the field needs to adapt and improve. By this account, as one expert puts it, "International mediation is just scratching the surface of what it can contribute, and what it needs to contribute to the planet."[119]

8. ALTERNATIVE APPROACHES

As the geopolitical influence of major powers, such as China and Russia, and prominent regional actors, such as Qatar and Turkey, has expanded over recent years, they have advanced alternatives to the prevailing mediation paradigm, which is normatively associated with liberalism.[120] One expert contends that a range of states with non-liberal political systems are frequently involved in negotiating and mediating conflicts, but that this tends to happen out of the international limelight.[121] Approaches vary from case to case but are more likely to revolve around elite bargaining, high-powered diplomacy or militarised conflict management. Elements of these approaches were evident in Russia's efforts to resolve the Nagorno-Karabakh conflict of 2020.[122] In a sense, these approaches are reversionary, having permeated historical international efforts to resolve or prevent armed conflict.

One expert says that these approaches tend to involve the application of pressure, rather than an attempt to shift the relationships between the conflicting parties, noting, "I don't think there's much evidence to

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[114] I603

[115] K632

[116] "Fit for Purpose: Rethinking Mediation and Peace Process Support in a Changing Conflict Landscape" (Buckinghamshire: Wilton Park/Foreign, Commonwealth & Development Office, 2022), paragraph 1. In the summary, the same report also says: "There was widespread agreement that the western dominated traditional model for conflict mediation, as a UN led process, is in serious trouble."

[117] D233

[118] C261

[119] F510

[120] Expert colloquium, 28 October 2021.

[121] Expert colloquium, 11 October 2022.

[122] M583 and A215.

suggest that directive or coercive approaches lead to durable outcomes."[123] Certainly, many practitioners question the wisdom or utility of coercive approaches.[124] However, mediation efforts undertaken by states or organisations that are not associated with Western liberalism do not necessarily have that characteristic, not least because conflict parties may not respond well to coercion. In fact, emerging mediation actors may even learn from Western mistakes. One practitioner based in Asia noted how China treated its interlocutors generously and with dignity, in comparison with officials from Western states who tended to look down on them.[125] According to one scholar-practitioner, a great deal of research and training in mediation is currently underway in China, which would be consistent with the country's increased involvement in this area.[126]

There are several reasons why securitised approaches to conflict management, or bargaining approaches to conflict resolution, focused on the distribution of power or resources, may be preferred by conflict parties. They might appeal to parties looking to avoid the political costs of genuine compromise, the demands and duration of an inclusive process based on trust building and problem solving, the burden of implementing policies to address root causes, and the threat posed by measures of individual criminal responsibility. They might want to avoid a process which imposes the constraints and obligations of democratic accountability, the rule of law and human rights.[127] Such approaches might also appeal to parties who are looking to diversify their security, economic and commercial relationships, especially with respect to major powers. Some of these factors might help to explain China's role in securing a limited rapprochement between Iran and Saudi Arabia, announced in Beijing in March 2023.[128]

Equally, emerging mediation actors may see a range of geopolitical advantages to engaging in such efforts. For China, its diplomatic efforts in the Middle East and the Horn of Africa can be seen, in part, as a means of serving foreign policy objectives: to bolster its global reputation, expand its geopolitical influence, especially in Asia and Africa, improve trade links and access to markets, and secure natural resources, including hydrocarbons and critical minerals.[129]

Once engaged, such powers are likely, for reputational if not other reasons, to take steps to increase the prospects of at least nominal success. This will lead to greater use and reliance on "incentive-based" approaches.[130] Indeed, China is highly likely to deploy diplomatic, economic and technological incentives and disincentives.[131] As one expert says: "The Chinese mediator is going to have leverage

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[123] N291. The interviewee goes on to note that such approaches "might lead to short-term solutions. So, there might be a space for them at times. But I think, generally, the facilitative type of approach is more likely to be helpful."
[124] Directive approaches, however, are widely accepted as forming part of a suite of techniques available to practitioners – see section 13.2 below.
[125] U234
[126] E273. See, for example, the research papers produced by the Stimson Center on "China's Role in Conflict Mediation" (https://www.stimson.org/project/chinas-role-in-conflict-mediation/); for example, Lina Benabdallah, "China's Conflict Resolution and Mediation Approach in Mali" (Washington, D.C: Stimson Center, 2024).
[127] J325: "I do think that we will see more of this coming up where certain groups will reject mediation because it's based on certain values, certain kinds of policies [that] do not make sense for them."
[128] "What You Need to Know About China's Saudi-Iran Deal", Adam Gallagher, Sarhang Hamasaeed and Garrett Nada, United States Institute of Peace, 16 March 2023; accessible at: https://www.usip.org/publications/2023/03/what-you-need-know-about-chinas-saudi-iran-deal.
[129] Bernardo Mariani, "China's Engagement in Conflict and Post-Conflict Settings: The Quest for Stability", The Peace and Conflict Resolution Evidence Platform, 2022; available at: https://peacerep.org/wp-content/uploads/2022/05/China-Report-Digital.pdf. Helena Legarda, "China as a Conflict Mediator", Mercator Institute for China Studies, 22 August 2018; available at: https://www.merics.org/en/comment/china-conflict-mediator.
[130] N291.
[131] See, for example: Miwa Hirono, "China's Conflict Mediation and the Durability of the Principle of Non-Interference: The Case of Post-2014 Afghanistan", *The China Quarterly* 239 (2019): 614-634.

beyond what they [others] have in the mediation. They're going to have economic leverage; they're going to have political leverage."[132]

Many observers believe non-liberal powers, most notably China, are looking to reshape the role of international institutions in this sphere. Indeed, the Chinese foreign ministry has recently taken steps towards establishing an "International Organization for Mediation".[133] As one former senior UN official says:

> I do think China is trying to swap out the operating system of the UN, for one that's more friendly to its own idea of what governance, domestic and international, should look like. I mean, I think that basically the software of the UN – we call it universal values, but it's Western liberalism – China would like to chip away at that.[134]

Echoing this, a senior UN official says China and other powers are trying to "hollow out these concepts". According to the official,

> [This] doesn't mean that mediation or diplomacy will die. It's just that it will be done on different terms, but also on their terms. I think that's the shift that we will start seeing – that we are seeing already. And that is going to be, I think, probably hugely uncomfortable for a lot of countries. And it's going to require quite a bit of adjustment in the UN. And the fundamental question that we ask is: Will the UN, based on values that are essentially liberal internationalist… I mean, is the UN going to survive that or is the UN going to look like that in 20 years' time?[135]

As China's global military, economic and political power grows, it can be expected to increase its efforts to reshape international institutions. According to one former UN envoy, "[A]t the moment, China still doesn't stop the [Security] Council or mediators affirming the basic normative principles, but that may get uglier."[136] Reports suggest China's engagement tends to be oriented towards bolstering governments, establishing stability and imposing social order.[137] According to one UN expert:

> [C]ountries that are more willing to work with the grain of non-democratic institutions are going to, over time, find better purchase and traction. China's role in South Sudan is a great example of them essentially subverting the entire international agenda and getting business done. Russia's approach in the Central African Republic, is also a good example of that. And so I think – I think the question is: 'Is the UN willing to go with the grain a bit more, be less strident on some of its liberal democratic stuff, and get stuff done?'[138]

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[132] C531

[133] "Jointly Building the International Organization for Mediation to Establish a New Platform for Peaceful Resolution of International Disputes", Ministry of Foreign Affairs of the People's Republic of China, 16 February 2023; available at: https://www.mfa.gov.cn/mfa_eng/wjbzhd/202405/t20240527_11312270.html.

[134] Z750. The interviewee goes on to observe: "And then when the US is absent, it's much easier for China to work on changing the rules of the game. I was always struck by how good the Chinese were at the Secretariat in New York. You know, any document that would have a reference to rule of law, the Chinese would very quietly insert 'between states' after 'rule of law'. And sometimes it would get, it would get through without being noticed. Of course, that changes the meaning entirely since rule of law is about relations between the government and their citizens, and rule of law between states is quite different concepts."

[135] M807

[136] U407

[137] "Non-interfering mediation", *The Economist*, 18 June 2022.

[138] K632

Some, such as this scholar-practitioner, conclude that in due course: "The UN will no longer be a vehicle to promote Western ideas of what the world should look like, you know, it will have to be something more neutral.... it will be much more technical and less prescriptive."[139]

If, as many foreign policy experts expect, great power rivalry intensifies in the years to come, China is likely to invest even more in mediation efforts to bolster its global geopolitical weight and strengthen alliances.[140] In short, mediation efforts associated with liberal norms will be operating alongside formidable alternatives. If they are to retain their relevance and appeal, the field has no option but to look self-critically at its own weaknesses and failings, and take steps to enhance its effectiveness. As for how that effectiveness is measured, some suggest that in some contexts, it may need to be a "little bit less about values and more about… pragmatism".[141] That raises the question of what mediation efforts should be aiming to achieve, which is the subject of section 9.

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[139] Z346. Interviewee I415 argues that a "functional effectiveness" framing might be required to advance approaches typically associated with human rights and democracy.

[140] See, for example, Jessica Chen Weiss, "The China trap: U.S. foreign policy and the perilous logic of zero-sum competition", *Foreign Affairs*, September/October 2022.

[141] K632

FLAWS, DEFICIENCIES AND PROPOSITIONS

Each of the following interrelated sections describes flaws and deficiencies in the field of mediation, as identified by mediation professionals. Broadly speaking, the length of each section reflects the degree to which interviewees chose to address that issue. Each section includes a subsection which discusses implications or propositions derived from particular flaws or deficiencies. In other words, the subsection considers what changes could be made to any aspect of the field of mediation that would help to address, mitigate or offset the problem under consideration, and potentially improve mediation effectiveness.[142] Again, the length of these subsections varies greatly, according to the degree to which it was addressed by interviewees. As noted above, most interviewees devoted considerably more time to describing flaws and deficiencies than to specifying changes to enhance effectiveness. Therefore, many of these subsections are short and reflect logical inferences of interviewee critiques. In some cases, however, the subsections attempt to capture the rationale and substance of complex and varied proposals as advanced by interviewees.

A central goal of this study is to convey the kaleidoscope of professional views on issues of importance. The sections below therefore assemble a range of related points and perspectives, which may or may not be consistent with each other. Where relevant, the author attempts to draw attention to convergence or divergence of opinion, whether in relation to critiques or propositions. Predictably, many of the issues raised and corresponding propositions are interrelated or interconnected, and form part of varied lines of thinking, and for this reason they are revisited in different sections. Indeed, the recurrence of issues should be expected: the division of this study into sections is a necessary device for the purpose of analysis but does not reflect clean distinctions between these areas in practice. The sections fall into the following nine areas of the field of international mediation: goals; structures; suitability, skills and expertise; knowledge; method; prevention and implementation; learning and development; system-wide issues; and support.

9. GOALS

9.1 Overambition

What are realistic objectives for any given mediation effort depends on a wide range of factors related to the conflict and wider context, and the timeframe over which they are to be achieved.[143] Yet, a powerful and widely shared critique of modern mediation is that it either seeks or is expected to achieve too much. The sense among professionals is that in many situations it is unrealistic to expect mediation efforts to enable the parties to achieve a just, inclusive and sustainable peace.[144] Some experienced practitioners trace this problem back to the era of Western overconfidence after the end of the Cold War. One state mediator concludes: "We fell into an area after the Cold War where mediation became the solution to a thousand problems which we didn't know how to solve."[145] It became, says one specialist, "a recipe for resolving all bad things on planet Earth".[146]

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[142] The section on professionalisation does not include such a subsection given that most of the section considers implications and propositions.

[143] One practitioner, E527, emphasises the importance of timeframe, considered below in section 9.2.

[144] UN Sustainable Development Goal 16 sets out an ambitious objective: "To promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels." See: https://sdgs.un.org/goals.

[145] D233

[146] B468

The notion of a "comprehensive peace agreement", especially to resolve internal armed conflict, such as the Dayton Agreement for Bosnia in 1995 or the Good Friday Agreement for Northern Ireland in 1998, has had a magnetic if not intoxicating effect on the field. Such agreements typically cover a multiplicity of issues such as governance, security, human rights, public services, development, agriculture, reconstruction, justice, law enforcement, transitional justice and reconciliation.[147] The mandates given to mediators have expanded correspondingly. But there is deep unease about this in the mediation community. In the words of an expert: "We want to achieve comprehensive peace agreements that tackle root causes and bring sustainable peace. It's an ideal; but it is actually a sort of fantasy."[148] As explored below, mediation specialists identify several problems with such approaches: they overburden mediators and overload processes; they create resistance from the parties that can prevent even minimal progress; and they can lead to agreements to which the parties are not committed.

Highly ambitious mandates overlook the inherent limits of mediation work and the constraints within which a mediator must operate. A UN official reflects on these constraints:

> The expectations for rights for women and girls, for sustainability – we kind of know what the ideal is, and it's very, very broad, and it puts impossible demands on the mediator, if you're still trying to get your foot in the door. And, again, it can overestimate the power of the mediator to determine the agenda. I mean, what parties are willing to talk about is what parties are willing to talk about. We might want, you know, [a] revised constitution… and all sorts of good things… It's quite easy to have that sort of external view of what would be needed for what the SG [the UN Secretary-General] calls the new social contract but quite often the mediator is not in a position to determine that.[149]

As noted above, in section 6.1, the time, attention and energies of the mediator and their team are already stretched in multiple directions. One mediator says: "This mandate [from the UN Security Council] made it very difficult for me to do what I believed was the most useful thing to do."[150] As practitioners see it, processes are being "overloaded".[151] One UN official uses precisely that analogy in describing the tendency to assign more and more responsibilities to a mediation effort:

> I think in an ideal world, the mediator would have sufficient time to think them all through, factor them in, and then make conscious choices about sequencing and relative prioritisation. Because I think that's what doesn't happen. I think that the dynamic now is such that everything gets piled on. I mean, to take [the] analogy of the horse cart, right, so the cart is starting to move, and then everybody comes running from different sides of the village and throws things on there. And by the time that the horse cart reaches the village borders, right, it's already breaking down because it's overloaded.[152]

Relatedly, there is a risk that conflict parties eschew mediation efforts that are seen as burdensome, overbearing, and unrealistic.[153] Expecting too much of the parties can generate resistance, jeopardise the achievement of even minimal progress, and cause a process to falter or collapse. As one UN envoy puts it: "Suddenly, the original purpose of the mediation becomes a very distant and small adjunct to the

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[147] By way of example, the peace agreement to end the conflict between the Colombian government and the FARC is 133,000 words long.

[148] I603

[149] F436. See: "Our Common Agenda – Report of the Secretary-General" (New York, NY: United Nations, 2021); available at https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Report_English.pdf.

[150] A721

[151] E.g., X753, Z750, A721, O717.

[152] P491

[153] J325

process; a Christmas tree of laudable objectives, which are a threat to the peace agreement itself."[154] A former envoy captures the sense, in terms of objectives, that the best may be the enemy of the good: "My fear is that if you're looking for a comprehensive agreement, in all kinds of situations you will end up with nothing at all."[155]

There are clear risks with any attempt to achieve an expansive, predetermined and value-based set of objectives.[156] The parties may be resistant to mediation efforts which are seen as an attempt to impose foreign values on their culture, especially if this is seen as hypocritical.[157] (As noted in section 6.5, many actors, not only those in the Global South, believe Western states fail to adhere to the values they espouse.) A former UN official puts it more starkly and more cynically: "You go to the mediation exercise already with the end result in mind and the *lingua franca* of peace – respect for human rights, respect for the rule of law, good governance, and all of that – and the actors who are going to implement this liberal peace don't have one atom of democratic principles in their mind."[158]

Seeking to advance such norms, it is argued, may give donors and international professionals a degree of moral gratification but as noted in section 8, above, it may also mean such efforts are bypassed by more pragmatic, interest-based approaches. Consider the assessment of this practitioner:

> I think the whole value-based approach that, you know, [we] just keep banging on and on about, I think that's going to be artificial… It's just like a religion, and everybody's praying... but I think there's a lot which is going to be interest-based. I think it's all going to be about that, honestly.... [L]iberal values, if we keep insisting on that, it's going to be a lot of this, sort of moral supremacy or something, but at the end of the day, I don't think it's going to deliver anything, especially now, when you've got the completely fragmented world out there with everybody doing their regional games and bargains and actually, in some situations, it actually works… They can deliver more like that, with the way that they do stuff – look at Erdogan and Putin – more than the international system could in years.[159]

Even if agreements are reached that include commitments to liberal values, says the practitioner, such commitments may be hollow: "When you're trying to copy-paste [political paradigms], you're going to by default, end up with literally just the surface of the form or the shape, no substance in it."[160] As another practitioner says:

> In trying to chase this 'comprehensive peace agreement', we're trying to do far, far too much and kind of trying to turn states that already were facing massive difficulties into perfectly functioning twenty-first-century democracies of the level that, you know, even Scandinavian countries can't quite reach…. It's all going to be in there [the agreement] to the point that it all

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[154] Z325

[155] A721

[156] J325: "What do the mediation recipients want? What do they try to get out of it? There are a few voices here and there. Unfortunately, there're not so many that we see in the policy world that say, 'Let's take a good listen at [sic] those who would like to have mediation.'" See also the report of the Wilton Park meeting: "In recent years, Western mediators have loaded peace making with normative agendas – women's rights and other forms of inclusion, human rights standards, directives against amnesties. Arguably this undermines the purpose of mediation – to support parties to find their own settlements of their differences…. Mediators and actors supporting mediation need greater cognisance and self-awareness of the norms that they bring to processes and how they affect prospects for agreement." "Fit for Purpose: Rethinking Mediation and Peace Process Support in a Changing Conflict Landscape" (Buckinghamshire: Wilton Park/Foreign, Commonwealth & Development Office, 2022), paragraphs 10 and 11.

[157] F705

[158] F301

[159] F705

[160] F705

becomes a little bit meaningless. Or that everyone kind of knows that actually, none of these points are going to be adhered to, which is worse.[161]

There is also a risk that comprehensive agreements are too divorced from realities on the ground, especially arrangements reached between elites, or indeed the broader political settlement. In other words, such agreements can be at odds with the actual distribution of power and resources between contending groups, classes and other actors.[162] This misalignment can undermine the viability of any agreement. The agreement relating to Yemen signed in November 2011, is cited by one expert as an instance of this misalignment. The agreement, brokered by the Gulf Cooperation Council, attempted to establish a managed transition process, following a popular uprising against the regime of President Ali Abdullah Saleh but, according to critics, failed to tackle the rivalry between powerholders and their control of resources, "and that's why you see Yemen fall apart between 2011 and 2013".[163]

Notwithstanding these factors, over recent years the United Nations Security Council has continued to create missions with unrealistic mandates – a practice underscored by the fact that the toughest cases have often been quickly handed on from the Security Council to the Secretariat. "The UN is being dumped when there is a crisis," says one envoy.[164] Indeed, one former senior UN official with extensive headquarters experience says the expansion of mandates has as much to do with the permanent five (P5) members of the UN Security Council avoiding or responding to international pressure as it does to the challenges on the ground. "So, you know, they [the P5] have to do something, they are under pressure."[165] Another former senior UN official with headquarters experience echoes this view but goes further. He argues that the mediation mandates developed by the UN Security Council are less about managing distant wars than managing the Council members' reputational risks. By this account, states are not looking to identify realistically achievable priorities, but minimise exposure to criticism.[166] They do this by creating the impression of action, agglomerating requirements, and issuing impossible demands, while offloading responsibility for the achievement of results. According to a former senior UN official:

> These mandates are overloaded. They do have Christmas tree ornaments across the board, etc. But you know… I have a sense of cynicism about all this, in that I don't think the Security Council members really think the UN is going to do all those things. I think the Security Council members want to be able to show that they have done something, they have empowered a mediator from the UN to make sure that women and children and youth [will be included] and the guns will stop and all of this and paradise will [be achieved], and then the Security Council members can point to the UN as being the reason why this is not working, rather than to themselves. I mean, do we really think that in 2015 the Security Council members who unanimously voted for resolution 2254 for Syria, really thought that Staffan was going to be able to come up with a way to get 2254 implemented? No. The Security Council was embarrassed that they couldn't come up with anything on Syria, so they came up with this resolution after long negotiations, simply for the purpose of showing the world they can come up with a resolution and hand it off, hand off the impossible mission for the UN.[167]

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[161] O989

[162] K632

[163] K632

[164] U316. Divisions within the UN Security Council mean that this may now be happening less frequently.

[165] F301. "You have a series of challenges to the efficacy of mediation, because these mandates, I would say they're as concerned with addressing the causes and finding solutions for the conflict, as they are concerned with the concerns of basically, the UN Security Council P5."

[166] Described more crudely by some as "arse-covering".

[167] Z750. Staffan de Mistura was the UN Special for Syria between 2014 and 2018. UN Security Council resolution 2254 calls for the United Nations to convene "negotiations on a political transition process… with a view to a lasting political settlement of the crisis". The resolution envisages the process that will establish "credible, inclusive and non-sectarian governance… a new constitution and … free and fair elections, pursuant to the new constitution,

In part this reflects contemporary sociological and political phenomena: the proliferation of vocal single-issue advocacy groups, the power and profusion of social media, and increased political sensitivity to adverse media coverage. But, as discussed above, it creates several serious interrelated problems for mediation efforts in the field.

Implications and propositions

Interviewees had a great deal to say about what mediation should seek to achieve, and this subsection therefore reflects that abundance of opinion.[168] It explores the argument that mediation efforts should focus on achieving an end to hostilities; and it then considers the case for mediation work that seeks to manage conflict, achieve gradual or incremental objectives, and build on successive mediation efforts over time. The subsection also outlines concerns that an overfocus on ending the fighting can lead to elite deals that set the stage for a recurrence of armed conflict.

The factors discussed above have led to calls for mediation goals to be less ambitious and correspond to what is realistic for mediation efforts to achieve in any given circumstances. In the words of a scholar-practitioner, "Mediation is always going to fail if you ask it to resolve problems that are beyond the scope of the mediator… [we need to] identify which problems you can and cannot solve with which tools."[169] As one interviewee says,

> Mediation and diplomacy can in fact be effective. But it cannot be pursued by tethering yourself to the way you want the world to be rather than the way the world is, right?... If you look at the world the way it is, nothing ever changes, I concede that. But if you look at the world, only the way you want it to be, you're going to fail every time…. It is the balance between the way things are and the way you want them to be… finding a balance, that… produces the most effective success.[170]

Some specialists argue for a focus on what they see as the original purpose of mediation: to end the fighting.[171] "[Mediation] is meant to bring warring parties together so that they find an agreement and stop fighting," says one mediation official, "[L]et's become a little bit more modest, maybe a bit less arrogant, and a little bit more back to the roots, what this tool is meant to achieve rather than saving the world."[172] This approach is seen as reducing the risks discussed above, especially of parties rejecting or withdrawing from mediation efforts because they see them as unworkable, overdemanding, or an attempt by outsiders to impose their values on others.

A focus on bringing an end to the fighting is seen as having an intrinsic humanitarian value. As one UN envoy says, echoing the words of a former UN Secretary-General, "It's not about bringing… heaven to earth but preventing this world from going to hell... [A]t the end of the day, we just have to do damage control."[173] Achieving an end to hostilities is also seen as enabling people to resume their everyday lives. One practitioner expands on this line of thinking:

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to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability". Among other things, the resolution also requests the Special Envoy to lead urgent efforts to establish a nationwide ceasefire.

[168] Most subsections on "implications and propositions" are far shorter than this, given that, as noted in section 3.2, interviewees tended to speak to problems, weaknesses or deficiencies in the field of mediation rather than how it should change.

[169] W659

[170] H578

[171] What theorist Johan Galtung called "negative peace".

[172] B468

[173] J403. In May 1954 Dag Hammarskjöld said: "[T]he United Nations was not created in order to bring us to heaven, but in order to save us from hell." Address by Secretary-General Dag Hammarskjöld at University of

There are so many things, you know, you could find an issue in every single space... I mean, there is no perfect agreement, there is no perfect process, and there always is room for more. The question is, when do you stop? In the sense that: do you wait and address everything in the universe?… [Do you] wait, hold out for a perfect process? …. Or, do you make the best of what you have at the time? And so my answer with comprehensive agreements is no – simplicity is best… At the end of the day, it boils down to something very simple. All that matters… is that that person, the father can take the kid to school; the trucks can go down that road without being attacked; that there are no shootings; that the violence stops in order for trade to continue. Everything is centred around peace.[174]

A further rationale for this approach is that it prevents a conflict becoming more entrenched, as articulated by this practitioner: "Actually, what we, at least as mediators, what we're really trying to do is just to stop [armed] conflict, at least in the short term, or stop killing. And if we can do that, then that's already a massive achievement. And [that] will stop the build-up of further grievances or further problems that will make the conflict more intractable."[175]

It is acknowledged that such efforts may do little more than end the violence. As one mediator asks, "So the question is more than anything else: What do we do, and what do we have to do to solve the problems we're confronted with, but knowing by far it's not a miracle and society probably won't look much different after the process?"[176] Yet many mediation professionals still emphasise the importance of ending violence not just for what it achieves but what it makes achievable: "Silencing the guns," says one UN envoy, "makes everything else possible."[177] In other words, ending the fighting cannot transform a society but can open up the possibility of more peaceful future trajectories. According to a mediator:

It's the issue of probably being pragmatic more than anything else in what we want to obtain. To what extent can a process give a society a shift so that [it] can go down a different path, but [it] cannot solve all of the problems and at the same time [the society] can't be expected to wake up on the first of September, being a different place…. [W]e're trying to draw a compromise…. [W]hat we try to do is get society to go down another path, if possible, in better conditions.[178]

By this account, although peace processes may do little to address the causes of the conflict, they may nevertheless create the space for such issues to be addressed, and perhaps bring about a shared sense of how that should be done. As one senior UN official says:

The fact that there is [typically] little work that had been done to deal with issues preventively, the structural issues, causes of the conflict, the drivers of the conflict, makes the work of the high-level mediator or mediation very difficult… At best you are trying to end the [armed] conflict and possibly open the door for discussions that should follow afterwards on these deeper problems that drive the conflict, and are the causes of conflict.[179]

The official goes on to give the example of Nepal where the peace agreement signed in 2006 was "really a menu of issues that needed to be addressed", especially deep divisions and disparities in society.[180] In

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California Convocation, Berkeley, California, Thursday, 13 May 1954. Available at the United Nations Digital Library: https://digitallibrary.un.org/record/1291161?ln=en&v=pdf.
[174] U673
[175] O989
[176] D233
[177] Z325
[178] D233
[179] C562
[180] C562. The full quote: "But the problems of the country were, they were talking about a new kind of Nepal, where class, caste, ethnic divisions, you know, the disparities in economic well-being, regional issues, all of these

effect, the agreement served as a kind of roadmap for reform. Indeed, it is a misconception, says one scholar-practitioner, "that mediation is sometimes seen as something that can resolve underlying issues".[181] Many cases, such as East Timor, Liberia or Bosnia, illustrate that the end of violence is only one stage in progress towards a peaceful society.[182] As a practitioner says of Northern Ireland:

> I think people do sometimes expect too much of peace processes. They expect them to be like a fairy story, and everyone lives happily ever after, where peace is declared. And that doesn't happen. In Northern Ireland, we've had the Good Friday Agreement for 22 years. But it didn't end sectarianism, didn't end violence, didn't end political crisis. But what it did do is end the war. And the point about that sort of mediation is your objective is to end the war. And if you can end the war in a sustainable way, so it doesn't slip straight back into war, then you've achieved something. And I don't think we should expect much more than that. But by not having war allows other things to develop. So the expectations need to be managed.[183]

While mediation professionals emphasise that achieving an end to hostilities is only one element of a longer, more complex process, they also argue that even that can be immensely difficult to achieve. Indeed, they say there are periods when it would not be wise to try to mediate an end to the fighting. According to one expert, "There is a knee-jerk reaction [among policymakers] to say there's a conflict, therefore the solution is mediation. And in some cases, there may be a high-level mediation approach that is appropriate. But I think we need to get out of that knee-jerk response."[184] Indeed, pushing for an agreement under the wrong conditions may be counter-productive, says one scholar-practitioner: "Trying to reach an agreement can actually escalate the situation and cause conflict in those situations as well. So, so we mustn't have this absolutist idea that we can always make peace, or we can always reach an agreement."[185]

Rather, in many cases mediation efforts should look to try to manage a conflict and sustain possibilities for its eventual resolution. As this former UN Standby Team member says, "There needs to be more conscious work done in conflict management before setting goals for conflict resolution."[186] Conflict management work can serve different, interrelated purposes: regulation: ensuring compliance with international humanitarian law; mitigation: reducing the adverse effects of hostilities; prevention: avoiding deeper or wider escalation; de-escalation: reducing the overall scale and intensity of hostilities; and communication: sustaining dialogue between the parties. In practice, of course, the distinction between the categories is often blurred.

One expert emphasises the role of political processes to sustain dialogue between the parties and prepare the ground for future negotiations. "Process is only another way of describing a way of managing a problem to which you don't have a solution," says one interviewee who worked on the Middle East. "You know, I remember George Shultz used to talk about his approach to diplomacy: in large measure, tending the garden until you could actually plant something and see it grow…. And a lot of people don't accept that… But the alternatives, I think, are worse."[187] Many interviewees say that objectives should be developed according to what is useful and achievable at any given point in time. As one European expert puts it:

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things had to be resolved. So in a way, the comprehensive peace accord they signed in 2006 was really a menu of issues that needed to be addressed. They had to agree on the internal map: what kind of a federation they're going to have, what kind of a constitution they're going to have, about the monarchy, about, you know, economic inclusion, traditionally marginalised communities, what do you do about those things."

[181] J325
[182] Z346
[183] T619
[184] K632
[185] Z346
[186] B118
[187] H578

We should have a more realistic understanding of what mediation in a particular situation can achieve… taking into account that in many conflict contexts… the field of actors is just too fragmented – the international environment and various international actors intervening in a theatre – is just too complicated, too difficult for a comprehensive peace agreement to take shape…. But I think it is necessary to think about: what can we achieve in a particular context? And if the only thing that we can achieve is a humanitarian pause, or it's a local ceasefire, or it's a statement of principles, bringing different international actors together, then we might have to accept that.[188]

A scholar-practitioner makes a similar point given the long timeframes that many processes require:[189]

[E]fficacy isn't necessarily getting the agreement, it's maybe just making the next step or rethinking the setup of the process or re-analysing or, you know, just taking the next step, whatever that is, and not necessarily thinking that if you don't get to the agreement, you're not effective, because maybe agreement isn't possible now. Look at Libya…. So success is really incremental. And we have to be okay with that. There has to be a recognition that these things are complicated, and are going to require time…. Anybody who's done this work knows that you can't solve Yemen in 16 months, maybe not even in 16 years. So, we have to dial back our expectations.[190]

Some practitioners argue that mediation objectives should be established on an ad hoc basis, according to conditions, whereas others, such as this scholar-practitioner, look for more clarity: "So, define the mission very clearly. And I am a partisan of precise, small targets that can be achieved."[191] In any event, this gradualist or incremental approach, also noted in section 6.3, appears to command wide support among practitioners. An important element of the rationale for this approach, argues another scholar-practitioner, is that one set of achievements forms the basis for future work:

We have bombarded and over-constructed peace agreements, coming to this complexity of comprehensive peace agreements, where everything is important. Instead of saying, now, where is the journey going to? And what will be important in the next five years to guide this pathway?.... I think mediation efforts are often overloaded in the objectives, and especially Track 1 mediation efforts should be very clear, and more clear [regarding] what they want to achieve and can achieve…. [T]here's an overload of 'now we have to fix it all', instead of saying like, 'What does this country need now?'…. [L]et's take a… step-by-step approach, that will at least create this dynamic to open the door to the next phase.[192]

This approach was taken in Mozambique from the mid-2010s onwards, recalls one practitioner, whereby small gains were seen of value in and of themselves, and as a means to build a deeper confidence that a more comprehensive peace could be achieved in due course.

So, you have to do as much as you can to foster the atmosphere of peace, so that other things start working, because then [otherwise] you'll be in a permanent turmoil. [This helps to explain] how we approach[ed] the peace process, which was piecemeal, slowly, slowly, slowly – we had one success, two successes, three successes, and then you create an environment in order for people to believe that something can be done. Because if you wait, if you wait for everything, it's all or nothing, right?…. So in the sense that I'll just take what I can get today. If today you

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[188] I603
[189] The question of timeframe is addressed in more depth in section 9.2, below.
[190] H939
[191] I415
[192] X753

give me security sector reform, but you know, the issue of women is not addressed, I don't care – I'll take what I get.[193]

The challenging and complex political processes underway over recent years in Libya, Yemen and Syria, says one scholar-practitioner, were never likely to furnish "one golden moment with this fantastic mediator that has the handshake moment around the table".[194] A practitioner argues, "[W]e're actually talking about multiple agreements that are reached along the way to peace."[195] Even mediation efforts that do not produce agreements can pave the way for future progress, as was the case in Northern Ireland. As one mediator who worked on that conflict observes:

> There were lots of things done before the whole Good Friday process that looked as though they were failures and to some degree, they obviously were, but they did create– they did set a scene, they created a background and a basis that allowed, you know, my generation to build on. And if they hadn't done that before, well, we wouldn't have been able to do it when we did it.[196]

Another practitioner with deep experience of Northern Ireland echoes this view (as noted in section 5.2), believing that the Good Friday process was successful due to changing conditions and "because it was the eighth attempt at a serious peace initiative in 20 years. Each one built on the failings of the previous one."[197]

Looking ahead, to help address the problem of overambition, greater realism could be incorporated into the thinking, strategies and approaches of international donors who fund and commission mediation work. More realistic mandates could also help. According to one practitioner:

> Devising mandates that provide for a realistic assessment and realistic benchmarks for mediation missions – I think more effort could be put into this… I think specific targeted, realistic, achievable objectives are useful. And they are useful also, because they prevent the mission creep type of phenomenon, where you have huge expectations put on mediators and mediation missions, which are inevitably disappointed given the very difficult context in which people operate.[198]

The UN Secretary-General's policy paper "A New Agenda for Peace" of July 2023, urges the Security Council "not to burden peace operations with unrealistic mandates" and says "mandates must be clear, prioritized [and] achievable".[199] This sounds straightforward. In fact, identifying what is realistic and achievable in any given case will depend on a range of factors, and is likely to require extensive and sophisticated efforts. Moreover, the assertions are in tension with ambitious objectives that the policy brief sets out in a range of areas, such as human rights, inclusion, the rule of law, and sustainable development.

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[193] U673

[194] Z346. The expert perspectives outlined in this section, and the increasing adoption of gradualist, iterative or incremental approaches, raise questions about whether "mediation" is the right term for such efforts. Indeed, the term itself may have led observers, perhaps subconsciously, to draw inferences about what can be expected from international mediation based on their understanding of mediation as it might apply to domestic cases, such as family or commercial disputes. That may have contributed to outsized or misguided expectations.

[195] Expert colloquium, 28 October 2021.

[196] F701

[197] B118

[198] I603. A practitioner, F705, also argues for more limited mandates.

[199] "Our Common Agenda Policy Brief 9: A New Agenda for Peace" (New York, NY: United Nations, 2023), p 24. The term "peace operation", in UN terminology, usually entails the deployment of peacekeeping forces and personnel who are active in a range of other fields, such as the protection of civilians, human rights, institution building and peacebuilding. Although not all UN "peace operations" involve mediation, there are many that do.

While there is broad agreement in the field around many of the above contentions – that too much is expected of mediation – there are also important caveats. Some interviewees express concerns that sustainability could be sacrificed for expediency; in other words, that an overfocus on trying to end the fighting, rather than establish the basis for long-term peace, is likely to yield fragile, short-lived peace.[200] To expand, many mediation specialists believe that this could lead to a narrow focus on securing elite deals between powerholders, centred around the distribution of power, as opposed to taking steps to address deeper causes of conflict.[201] That, they argue, would be dangerously short-sighted. They recognise the points noted above: that the achievement of a comprehensive peace agreement may be impossible or perhaps even undesirable, and that a process cannot address all societal problems, but contend that it is misguided for mediation efforts to brush aside issues such as justice or reconciliation, that could prove critical to avoiding the recurrence of violence.[202] Mediation efforts can help to establish processes that enable society to address such issues over time. Similarly, dispensing with liberal values and norms, it is argued, could yield superficial, short-term successes and long-term injustice and instability.

Some interviewees also point to the practical advantages of broad mandates: when talks to end the fighting are intractable, a UN envoy can look to make progress on humanitarian or human rights issues, and use them to demonstrate their relevance and credibility, sustain the attention of the parties, create a sense of purpose and momentum, or build confidence between the parties.[203] Such mandates might also afford the mediator with a degree of leverage, to incentivise or disincentivise certain kinds of conduct by the parties.

9.2   Short-termism

It is widely acknowledged that mediation requires, as one mediator puts it, "long-term vision and patience".[204] Norway, for example, is credited by practitioners for its decades-long work on Colombia.[205] One former UN envoy says that "just to look at only the two or three or four or five years that you sit at the table, that's wrong, because this is a decades– usually two or three decades-long process. So, you have usually, like Colombia, or Sudan or others, attempts to get people to the negotiating table started ten years before they actually ended up at the table."[206] Yet, it is widely believed that states, donors and intergovernmental organisations, like the United Nations, seek results over too short a timeframe. According to a scholar-practitioner, "Most big donors approach an agreement with the mindset that we will invest for one to three years, and then the interest will wane."[207] Some observers point to a correlation between short timeframes and the intervals between elections in democratic states. The tendency is also associated with the envoy system. As one high-level UN official concedes:

> And being a high-level envoy, you are interested in a quick success quite often…. So you're looking – this is the mistake I think that many envoys make – you're looking for a quick fix

[200] C457

[201] O127

[202] B118; T547. A body of academic research on this issue has come to similar conclusions.

[203] U316: "When you fail… to have a meaningful meeting again in Geneva, then you don't have any other way… first to keep the morale up of your team and yourself, and [build] the credibility of the public opinion, both inside and outside of Syria… If you are in a political mission and you're a political mediator in theory, you should [stick to the political track]. But, in a complex environment like Syria, then you end up being [in] a one-year silence, nothing happening… Indeed, you then have one of the strengths of the UN, at your disposal. The strengths of the UN in its own weakness of being so polyhedric, so multi-faceted, is that you have UNICEF, WFP, FAO – COVID or a humanitarian issue or a human rights issue, all at your fingertips, to try to make sure that the government and opposition pay attention to you."

[204] T619

[205] T619

[206] C261

[207] B905.

where you know, there's a power-sharing arrangement and this will be done, elections will be done. Everybody loves everybody and you shake hands and you move on. Unfortunately, even if it seems to work sometimes, it doesn't solve the problems.[208]

Some specialists associate this short-term outlook with the fact that envoys tend not to be deployed for more than a few years.[209] One practitioner says a typical envoy "feels this pressure – before I leave, I have to deliver something – and that causes mistakes".[210] The practitioner continues:

> I think that that is definitely a problem, that sort of expectation that the SRSG will be able to deliver some kind of comprehensive agreement… [I]t's not seen as a regular job; it's seen as something you do for two years. And then, you have to get your success. And then if your predecessor happens to be the one who's there for the signing of the agreement, it's his success or her success. So that creates a… psychological pressure on people to deliver, rush things and so on.[211]

Compounding this problem, one expert draws attention to a disturbing expectation among international officials and beyond that mediators need to deliver results early on in their tenure:

> [T]here's this kind of idea that mediations have a honeymoon period and a lifespan and rapidly decreasing leverage over time. And, certainly, you see that as different envoys have burned themselves out on Syria and Yemen and things. And so what it means is, there's this incredible emphasis near the beginning to get something in place. And if you don't, you're burned, and you're out, or you can't do it anyway.[212]

Short-termism is partly attributed to the drive for fast results which burnish international credentials. As one senior practitioner says: "You've got to look at it in a much longer time frame than people are. It's sort of instant gratification they [the donors] want. They want the Nobel [Peace] Prize, and then bugger off."[213] The head of one mediation organisation confides that "in one case, we have a donor that expects us to report every six weeks. Can you imagine? I mean, this is just completely… nuts."[214] One practitioner expands on the pressures for fast results:

> So donors, you know, like ambassadors and embassy staff, who are like pressuring for results, they have to report to their capitals, who are pressuring them for results; [governments] have parliament; parliamentarians have the people, and so on and so forth. So it's just a vicious international cycle that we've created for ourselves. And in the end, we're so hungry for results, but we don't know how to actually get them or we don't want to wait for them… Nobody wants to wait, in the age of instant gratification.[215]

The United Nations, among others, is said to be impelled, in part, by reputational concerns. A scholar-practitioner says, "The Secretary-General himself, and the others, I think they just want to look assertive in the moment. And: 'Who cares what happens tomorrow? Whatever crisis is there tomorrow, we'll just look assertive, again, dealing with it, right?'"[216] The rationale for mediation work that responds to crises

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[208] C562
[209] Expert colloquium, 28 October 2021.
[210] S467
[211] S467
[212] K632
[213] T619
[214] Expert colloquium, 14 October 2021.
[215] U673. One practitioner, E527, articulates a similar point: "Everybody's tied up by invisible strings here, you know, I mean, the donors that come in that want to support a certain process, are tied to their constituencies to bringing home some results to showing that that investment has had its impact. That's a fact."
[216] Z346

is compelling, but it can be too detached from efforts that work towards longer-term goals.[217] Some argue that such work is mistakenly conflated with progress towards peace. As this scholar-practitioner says:

> So, that [mediation effort] narrows to the moment when it appears that large-scale humanitarian disaster is imminent, and then finds itself driven by extraordinarily short timeframes where political expediency is mistaken for efficacy. That's another of the things that I would say…. that political expediency is what begins to drive the notion and efficacy is then judged by whether or not some political arrangement permitted the mediator to extract something that was needed at the moment; but rarely asked [is] the question in the really big picture around: What are the changes underway and how will they be supported? So, the expansion of time [needed] is not only prior to, but during and after.[218]

Donors are also seen as fickle. "The international community is very selective," says one practitioner, "They're interested in some, not in some; they also have the attention span of a goldfish. So, you know, Syria is sexy today; Yemen is sexy tomorrow. Cabo Delgado is super sexy right now, but tomorrow, it will be something else."[219]

These factors lead to intermittent bursts of activity rather than years of quiet engagement. One former envoy regrets that the United Nations generally has only two modes of operation: either "passive analysis, information gathering, you know, the UN waiting mode", or active involvement through the deployment of an envoy:

> [H]ere, of course, my experience from [a specified armed conflict] comes to mind when I worked ten years on [the conflict] and nothing really happened…. [Patience] seems to be lacking in many initiatives that I see from the– from the UN or others, that it's either full throttle ahead with a high-level envoy, or there's nothing. And I think that's unfortunate… Well, there was some [sic] exceptions there, but [it's] relatively rare that these people are willing to do this kind of work over years without, you know, coming up with any tangible results.[220]

This is especially problematic because of the advantages of early engagement. According to one scholar-practitioner, "The earlier the mediator gets involved, even not as mediator, but as a facilitator of a process… the better, because the person can help manage the process, the person can help convey concerns and messages, and be a go-between. But the longer you wait, the more difficult the mediator's job becomes."[221]

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[217] C562

[218] B905. The full quote: "For me, transformation includes elements of resolution, but the inverse is not always true. And that the biggest significant expansion is to open up in the direction of asking the very simple question: What are we trying to change? And I think what we're trying to change often is about deep histories of not only animosity, but very fraught and trauma-laden harmed relationships. And that conflict essentially is about the quality of relationships that we're trying to shift. And mediation has a portion that it connects into that, but it's often in a very narrowed, representational model. Typically, it's about very short-term timeframes, under crisis situations, that often are being done with great disregard to wider prevention and the patterns that have happened across decades. So, that narrows to the moment when it appears that large-scale humanitarian disaster is imminent, and then finds itself driven by extraordinarily short timeframes where political expediency is mistaken for efficacy. That's another of the things that I would say, that– it's almost interchangeable that political expediency is what begins to drive the notion and efficacy is then judged by whether or not some political arrangement permitted the mediator to extract something that was needed at the moment; but rarely asked [is] the question in the really big picture around: What are the changes underway and how will they be supported? So the expansion of time [needed] is not only prior to, but during and after."

[219] U673

[220] A721

[221] G574

Some donors are said to recognise these problems but take the view that without continual short-term progress it is difficult to sustain international political support, which is seen as so important, especially in an era of internationalised civil conflict. By analogy, one scholar-practitioner describes the reaction of donors to an independent assessment relating to the future of international support for Somalia:

> We started off by saying, 'Look, you know, this country has just come out of 30 years of no government, it's natural that they're going to take another 50 years… to reach where Liberia is now.' And all the donors went white in the face and said, 'If you say anything more than five years from now, you know, we're going to lose everybody.' So you have to create this political façade of potential progress in the next five years to keep the donor community engaged and hopeful. But the people who say that all say, 'We know it will take 30 years or 50 years or whatever, but you can't say that.' So there's this kind of, within this larger game, this sub-game of we know we have to create the impression that there will be progress in the short term, to create the political momentum for support.[222]

Another scholar-practitioner describes the process by which mediation work is disingenuously compressed into short project timelines:

> And you know, the number of times, I – you must have had this too – and you sit with them and some junior officer presents you a logframe, you know, within 18 months, you're supposed to produce peace. It's just idiocy, and you play the game, because you need the money to do what you really want to do. And you know, you're going to lie to them, because you're not going to deliver peace in 18 months. And now increasingly, they know it's true, too. Yeah, it's all kind of silly.[223]

In terms of the consequences, the vast majority of mediation practitioners believe creating expectations for short-term progress – reflected in short-term funding lifecycles – is not only unrealistic but also damaging.[224] As the head of a mediation organisation says: "Short-term support is really counterproductive to long-term change in these situations."[225] One scholar-practitioner warns that pushing for too much too soon can cause a process to collapse:

> The first thing I will highlight is time. We don't take enough time. These conflicts are often long, they've been going on in one way or another forever, you know, and we want to solve them in six months to be ready to go to the next one, right? And putting something in a pressure cooker, well the pressure cooker often explodes.[226]

Implications and propositions

There is near universal agreement among specialists that mediation work should be planned, organised and undertaken over longer timeframes; that funding lifecycles should be adjusted accordingly; and that expectations for the achievement of regular tangible successes should be substantially curtailed. This would better enable mediators and mediation teams to sustain their focus on activities that increase the prospects for the achievement of sustainable peace. It would also enable the development of longer-term strategies, which encompass the flexibility to adapt to changes in circumstances. It would also help to avoid high degrees of variability in terms of levels of international engagement and put mediators in a better position to prevent and respond to crises. Consideration could be given to the possibility of enabling mediators to advise on the substance and scope of their own mandate and objectives, after

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[222] Z346
[223] R845
[224] Also referred to below in section 17.1
[225] A215
[226] O717

having been deployed for an initial period during which they could make an assessment of what is feasible over certain timeframes.[227]

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[227] K632

10. STRUCTURES

10.1 Top-heavy, overcentralised model

The predominant approach for the achievement of Track 1 international mediation objectives has been centred around the deployment of envoys. Intergovernmental bodies comprised of diplomats or other state representatives devise missions, develop mandates, allocate resources and despatch envoys to distant places to solve problems. At the United Nations the mandating authority is typically the UN Security Council and comparable bodies exist in regional intergovernmental organisations.[228]

As noted in section 9.1, UN member states and the P5 states of the UN Security Council may not always expect the envoys to achieve everything they ask, but the conceptual axis around which the system rotates is the envoy, as an external problem-solver. (The appointee is usually a Special Envoy or Special Representative of the UN Secretary-General "SRSG", both of which are referred to in this study as an "envoy".) Such appointments became almost a reflexive international response to the outbreak of armed conflict. As one UN envoy says: "Central African Republic? SRSG. There are problems in Burundi? SRSG. We have a problem in Syria? We better have an SRSG, even if we know that the two sides don't want to talk to each other…. and you don't have the means for doing it."[229]

As discussed above, in section 9.2, this approach can contribute to short-term thinking. With so much being asked of a single individual, envoys are sometimes overanxious to achieve results or demonstrate positive momentum. As one expert says, "[T]hey need to show progress."[230] It can lead to initiatives or meetings that may be futile or even unhelpful but can be portrayed as steps forward.[231] The envoy model contributes to uneven levels of international engagement over time.[232]

As explored further below, there are other grounds on which experts challenge the suitability and effectiveness of the envoy model. They believe it is inconsistent with the complexity of modern armed conflicts and can detract from important mediation efforts at other levels. Some say it also contributes to 'on-off' or 'in-out' forms of engagement.

Arguably, the envoy-centred approach is fundamentally anachronistic. The UN Security Council itself is, of course, an artefact of twentieth-century geopolitics, and the centrality of the envoy reflects a paradigm which has been shaped by a long-established state-based international system dominated by diplomatic interactions between powerful decision makers. More recently, it was shaped by the period of US primacy following the collapse of the Soviet Union, during which high-level diplomatic or mediation efforts had more traction, especially if they were conducted or backed by the United States. Today the international environment is increasingly characterised by multipolarity and fragmentation. Moreover, a plurality of mediation specialists point to the limitations of a single, high-profile individual who engages largely with elites, given the complex, multi-vectored nature of modern armed conflict.[233] While it is widely acknowledged that high-level efforts are critical, they are rarely seen as sufficient.[234] This helps to

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[228] Over the past twenty years, "regional" intergovernmental organisations have expanded their engagement in the mediation of armed conflict: most notably, the African Union (AU) and subregional organisations including the Intergovernmental Authority on Development (IGAD), comprising East African members; Economic Community of West African States (ECOWAS); and the Southern African Community Development Community (SADC). In many cases these organisations have adopted an envoy-centred approach.

[229] U316. It is possible that this trend is changing. As of September 2024 no UN envoy had been appointed for the Russia–Ukraine conflict.

[230] D537

[231] D537. Consider the succession of abortive meetings in Geneva on the Syria conflict.

[232] A721

[233] X753

[234] E.g. B118 and T547.

explain why, as noted above in section 4, UN-led mediation processes are now far less prevalent. According to one member of the UN Standby Team, the complexity of contemporary conflict means that "the paradigm of the special envoy with the mandate, with the UN, talking with the big leaders and their teams, is very, very limited – is very limited".[235] As a practitioner says:

> If you look back to the post-World War Two era, where you have the Folke Bernadotte model, where 'big man' mediators fly into situations and then put two parties together, we might even fast forward to Aceh and look at Ahtisaari's model, where people are sat either side of the table [negotiated an agreement and then implemented it]. That's a really, really dated model of doing peace processes and mediation, in my view…. [I]n this day and age, the complexity of conflict doesn't really lend itself to the notion of high level. It's so complicated, on so many different levels… I don't know that high level still exists. And I think that we're trying to fit the square peg in the round hole or vice versa. And my view is that's why we're failing. And I think we need a much more sophisticated model.[236]

Echoing this, some practitioners critique the "mythology" of the great mediator.[237] As one observes:

> I suppose the problem with the envoy system… is this focus on the individual mediator, this kind of veneration of individuals who've mediated conflicts in the past…. [I]t plays into this idea that all it really takes is a great man – it is invariably a man – to come in, and the right one and the right time and place, and he will solve the conflicts. Whereas I think everything that all best practices in academia in the last 30 years have shown us is that it doesn't actually work like that. These processes are a lot more complex and require far, far bigger teams to work.[238]

Mediation specialists emphasise that there are often important channels of dialogue outside of a central track. One European practitioner says that in their experience "[m]ost of the dialogue, most of the negotiations are happening outside of the room, outside of the official formats. The moment when you call a process an official mediation process, you basically chill it."[239] Similarly, according to a member of the UN Standby Team, "I think what seems to be key is the informal engagement around the edges of a process."[240]

Many specialists say the overemphasis on a mediator engaging at leadership level can lead to the marginalisation of other efforts – and that poor connections between mediation work conducted with different actors at different levels can weaken leadership-level tracks.[241] As a former member of the UN Standby Team says: "So we know that where you have a high-level peace process that isn't designed to address the whole of a society, then that's why things are unravelling so much…. [T]he quality of top-level work will only be improved if it takes on board the other tiers."[242] This also has adverse consequences for sustaining any future peace agreement. As a current UN Standby Team member says, any approach needs to recognise that "the implementation of the agreement is going to be as important as reaching the agreement itself".[243] As the specialist explains:

> [I]f you don't make the connections [between initiatives at multiple levels] during the process, it's much harder to establish a sense of shared ownership and a sense of shared responsibility in

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[235] R141
[236] U234. Another part of this quotation is provided below in section 14.2 on implementation.
[237] O989
[238] O989
[239] Expert colloquium, 28 October 2021.
[240] Expert colloquium, 28 October 2021.
[241] B118; T547.
[242] B118. A practitioner, I256, argues this was the case in the Northern Ireland peace process: "It's a combination of peacemaking, and peacebuilding, the [building] blocks of peace."
[243] N291

the implementation of the agreement once it's been reached…. [A]lmost immediately, there's a sense of being excluded and left out or marginalised. And then you'd have to undo all of that damage, and rebuild connections in order to make the agreement work.[244]

While some envoys serve in their posts for long periods, others are criticised for operating on a more intermittent basis, not seen as sufficient for a mediator to acquire high levels of understanding, build relationships, establish durable processes, and ultimately make progress.[245] One former UN envoy says regional bodies in Africa typically use "high-level, fly-in, fly-out mediation models", which is not always conducive to success.[246] This approach, it is argued, tends to rely less on relationship building, than the application of pressure by a prominent political figure, such as a former president, on the leaders of the conflict parties. According to the former envoy, it had a "disastrous" impact on the negotiations between South Sudan and Sudan over disputes following South Sudan's independence in 2011.[247] Yet, some warn against dismissing this approach entirely. "Almost all of the success stories that we identified [in a study on preventative diplomacy and mediation], had a kind of 'African big man' aspect to them, which is very problematic."[248]

Implications and propositions

Citing these factors, some mediation specialists call for the envoy system to be reconsidered. "I don't know what should replace it to be very honest," admits one expert, "I know it's not working…. [D]efinitely the envoy system needs to be discussed, dissected. There needs to be a review of the envoy system."[249] A key question, as many see it, and succinctly expressed by one scholar-practitioner: "How do you move beyond the 'big man' theory of mediation?"[250]

Some specialists argue for more mediation work to be conducted by senior and experienced but lower-profile professionals. One former senior UN official argues for more calibrated sequencing in the leadership of mediation efforts. The United Nations needs mid-level individuals who can operate "without attracting a lot of media attention… really working and you know, going into the nitty gritty of issues. And then when things have ripened you bring in, you know, the high-level person."[251]

Some answers to that question have emerged out of a "systems thinking" approach that appears to be gaining increasing traction: the conception of conflict as a complex system, which consists of a multiplicity of components which dynamically interact with and influence each other. Mediation efforts can be seen as an attempt to strengthen "constructive or prosocial" dynamics, as opposed to destructive dynamics.[252] By this account, mediation efforts should identify key relationships between different actors and patterns of behaviour that contribute to conflict dynamics.[253] They should then look to identify ways of influencing the thinking and behaviour not only of the most powerful actors, but a range of key

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[244] N291
[245] C261. See also section 9.2 above.
[246] C261. According to the interviewee, this approach can lead to a "a very crude negotiation and mediation experience".
[247] C261. This echoes the thoughts of a former UN Standby Team member (O127): "When the mediator has a very good knowledge of the, let me call it generally, the actors in the theatre of conflict, it makes a huge difference [and engage with them in a] certain language that reconnects our humanity to humanity… 'let's see what we can do together,' it makes a difference; [rather] than somebody who flies in without any situational awareness, both at the emotional level, at the intelligence level, at the knowledge level, and tries to create a new understanding in a new environment."
[248] K632
[249] D537
[250] C531
[251] C562
[252] S590
[253] K632

individuals, groups and networks of actors at multiple levels.[254] Mediators should therefore develop theories of change or influence, even if these are iterative and adapted over time.[255] That requires a more diffuse, decentralised, multi-actor approach which operates at different levels in a range of ways, over different timeframes.[256] Some practitioners stress the potential advantages of such an approach, as outlined by a member of the UN Standby Team:

> So this idea of having a multi-level, multi-focus approach to complex situations for me is key…. I also think that in mediation, complexity is our best ally. Because complexity gives you room to create different ways to approach the situation and gives you more resources, to explore and to mix in order to intervene in helping the process of change. Also, this broader vision includes the idea of change over time, which is different to the paradigm of getting a result, you know. [Peace agreements are rare] but if you work with a broader vision, betting on many different processes of, I mean, energies and initiatives that could move change in the right direction in the system, maybe some of these will have an impact. And maybe– maybe it is not you or your organisation, but maybe there's another that was in the margins and could be relevant later.[257]

One analyst asks if a more "polycentric" approach – "something like development programming, where it's a bit more empirical" – might take the pressure off single mediators.[258] This would allow for adjustment according to success rates: mediation efforts could be channelled to where there seems to be the greatest potential for progress.[259]

The field of mediation has already taken steps that reflect some elements of systems thinking. Interviewees tended to emphasise one of two closely related approaches: complementarity and localisation, which are considered further below.[260]

Those who extol complementarity advocate for formal and informal networks of mediators, mediation organisations, civil society groups and individuals, which are adaptive, responsive and working symbiotically. By this account, the UN's central role would shift from problem-solver to enabler: supporting and facilitating local actors who have greater local knowledge, credibility and trust than the United Nations can achieve. According to a scholar-practitioner:

> I think that in many of these situations, you're much better suited if you are not flying in and out of places, but if you are basically just supporting local, effective actors…. We think about going in and fixing stuff and getting out.... [T]he UN, I think, has to better understand the role that they can play in a complex network of actors, and the things that they can't do. And [all the better] if they can start to see their role more as network facilitators, you know, helping to bolster an existing ecology of peacemaking and peacebuilding in places, and not as an external, heroic, intervenor.[261]

Collectively, it is argued, this could bring more energy, expertise and ideas to bear on complex problems, and help to improve relationships. Another scholar-practitioner explains:

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[254] C531. K632 argues that this approach means that mediation efforts should have a "theory of influence".

[255] K632; Z346.

[256] U234; N291.

[257] R141

[258] K632

[259] K632

[260] Many would consider these approaches not as alternatives but mutually reinforcing.

[261] S590. This interviewee also says: "So I do think that the UN has to, both conceptualise the nature of sustainably peaceful societies and sustainable peacebuilding, and what their role could and should be…. they should recognise their limitations, but also the unique role that they could play in helping to identify, encourage, support, you know, provide data and information to, you know, good actors on the ground or in the region, who might be much better positioned for the, you know, the fact that this tough stuff takes time."

These things are doable. We've seen them done. Every one of these things is doable. I've seen in my lifetime, the impossible turn possible. What it takes, it takes a critical mass of focused human collective intelligence and creativity. That's another thing. You know, it's a critical mass of intelligence, creativity, empathy, slow trust building, relationship building, which takes time, you know. If a war goes on for 30 years, these things are so deep-seated, deep-rooted, complex, and it's not just one person, or one little team. You have to have, ideally a dozen of teams working systematically [on] different aspects of it…. So that's a long way of saying, explaining what I mean by critical mass of human collective intelligence: mediators, but not just mediators, but you just, you need a network response.[262]

In recent years some institutions involved in mediation work have embraced the terminology of "integration" which draws on some of this thinking. However, the practice is seen as falling short of what is required, as this UN expert acknowledges:

So there's, there's a mix of complexity thinking embedded in the idea of systems lenses and systems thinking. But all of that came out of a recognition that cause and effect was seldom linear, and that you needed integrated approaches that addressed problems at multiple levels and in multiple ways. And now everyone uses the language of integrated approaches, no one challenges that, they all see the value of it, but has it really made much difference to the practice? I don't think it has as much as one hoped it would when people first began to build support for the idea of an integrated approach. So there seems to be a gap also between the thinking, the language, and what actually happens… You need to change the underlying thinking… But people have to understand what that means in practice for it to make any kind of real difference.[263]

This is echoed by others who work with the United Nations: "Then you have institutional and bureaucratic turf issues, right, the good old DPKO–DPA now DPO–DPPA [rivalry], which still exists and will always continue to exist. The recognition that integration, for example, is a good thing and a principle and one that also helps us with the leverage, but then, of course, everybody still does the wrong thing and it's really difficult to herd the cats."[264] According to a scholar with extensive UN experience, UN integrated planning works best where there is a light touch approach, to develop "flexible, iterative strategies that are opportunistic also". The worst approaches to integration are "onerous, bureaucratic" and "reflect turf [battles between UN agencies, funds and programmes] more than substance".[265]

More thinking, therefore, is required to determine what practical steps could help to enable or enhance a networked response in practice. Some experts have applied their minds to situations where authority does not vest in a single coordinating body. One scholar-practitioner suggests looser, spontaneous models of cooperation or complementarity may prove useful alongside conventional approaches:

So, if you don't use a funnel metaphor, where everything comes through one place and one person or one group, then you're moving in the world of complexity, of interdependencies, you're faced constantly with the question of the coordination paradox, which entomologists defined as: 'How do whole collectives create common purpose and achieve it without centralised control?'…. [E]ntomologists landed on the notion of stigmergy. So say stigmergy is when insects move around the landscape, they leave a scent – that's the literal term, they say they leave a scent in the landscape that is picked up by others – and by virtue of that wide process of

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[262] F510
[263] N291
[264] P491. The acronyms refer to the UN's Department of Political and Peacebuilding Affairs (DPPA, formerly DPA) and Department of Peace Operations (DPO, formerly DPKO).
[265] K632

movement, and iteration, and itineration, eventually, there is a cohering of common purpose that they come around, which I think holds some promise for us to look at in reference to really complex issues.[266]

Alongside this line of thinking which emphasises the value of complementarity, the decentralisation and localisation of mediation efforts is also seen as delivering advantages in terms of knowledge, cultural affinities, social networks, political influence, and sustainability. In essence, the approach posits that, as one interviewee puts it, "sustainable peace is built on local sinews".[267] Again, the field of mediation has already taken steps in this direction. The United Nations has established regional offices, decentralised certain mediation functions, and is carrying out a greater level of mediation support on the ground.[268] International non-governmental mediation organisations are recruiting more local staff. As one leading non-governmental practitioner observes: "When I joined [the field] it was a bunch of Europeans flying around mediating other people's conflicts.... The reality is that I would say 90 per cent of [our organisation's] work is not happening by the people who are in our senior management team, or who are Western at this stage."[269]

Some international mediation organisations emphasise the value of partnering with local mediation and peacebuilding organisations.[270] Others emphasise the role of "insider mediators", broadly considered as people from nations or communities affected by armed conflict who play a connecting, facilitating, and mediating role, potentially with greater legitimacy, impact and sustainability than external efforts. Some point to the value of "insider outsiders".[271] Still others say that collective action by groups within a society, such as youth movements, can positively shape or influence mediation efforts.[272] As one leading practitioner puts it: "There's a whole community of people around a conflict, who want the peace and are willing to try and get it. And if they're willing to work together, they can make it happen."[273] Outsiders, the interviewee argues, should support and encourage this work but "we don't necessarily have to always be in the room. And we don't always have to do everything, and sometimes not doing something is the best thing. Because they'll take it up themselves."[274]

There is a considerable body of support among mediation professionals for strengthening the complementarity and localisation of mediation efforts. Yet, there are many who caution against the dismantlement of the existing system. At a fundamental level, to succeed, mediation efforts need to change the thinking and behaviour of power-holders – those who have political and military authority, whether formal or informal, over conflicting forces. To do so usually requires efforts at multiple levels, including at an elite level.[275] As one former UN envoy puts it: "[M]ediation is part of politics. It's not outside politics.... [and] politics is an elite business."[276] According to one practitioner,

> Your bottom-up approach is never going to stop a war – that's the fact. And you cannot get too politically correct about this. And you cannot just insist on 'let's move away from this'... There could be situations, for example, now, Venezuela, you could say, 'Look, the incentives are so

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[266] B905

[267] E610, a UN envoy.

[268] C562

[269] I874

[270] D371 and F183.

[271] C477 – a mediation practitioner: "So sometimes you do need outsiders, but I also have found a lot of really interesting 'insider outsiders', you know, the priest that has been there for 25 years, and he might be Irish, but he's lived in [X], for 25 years, and so he's seen as being of the place but not of the place.... And even if they're not the mediator, you know, God you want to use their knowledge."

[272] Practitioner, expert colloquium, 14 October 2021.

[273] U234

[274] U234

[275] B118 and T547.

[276] N200

bad, it's so unpromising that probably the best thing you can do is to strengthen the capacity of civil society to remain active, engage, and work on creating more favourable conditions for some time in the future.' That's not an unreasonable view. I've said something like that myself. But that doesn't mean that what you want to do is move away from this elite [in Venezuela]. I mean, what the hell are you talking about? It's the elites who run the respective militaries – and who have stopped the wars. The trick is how to get both things [elite and lower level] to synchronise, if you like.[277]

Not all conflicts are equally complex and some wars, especially interstate conflicts, may depend heavily on the decisions of powerful decision makers. Consider the role of Vladimir Putin in the Russia–Ukraine war. In such cases, high-level engagement may have a greater potential impact than multi-level mediation efforts.

With respect to intrastate conflicts, high-power external mediation actors may play an important role due to constraints or limitations which affect national or local actors. Local actors may not always have the necessary leverage, resources or expertise. They may be seen as partial by other local actors and may not be trusted by them. Mediation work may impose safety and security risks on local actors that are difficult to manage. One or more of the parties may by its nature be resistant to engagement or influence by local groups or individuals, such as conflict parties that are hierarchical, authoritarian, secretive, and disconnected from wider society. And the leaders of groups or states of this character may be looking for the elevated status, resources, capacities or security guarantees associated with international actors. Furthermore, internationalised civil conflicts often require efforts to engage high-level patrons or sponsors outside the country concerned and could therefore benefit from regionally or internationally mandated envoys. One UN envoy says that the UN Security Council, especially the P5, must be managed with "effective and continuous contact", something it is difficult if not impossible for local actors to do.[278]

It would be a mistake to see external high-level efforts as sufficient, but they are often useful or necessary. Indeed, it is hard to think of successful national peace processes which have not benefited in some way from external efforts, which often operate at the highest levels. Importantly, the utility of high-level efforts may vary from case to case, depending on the nature and context of the conflict, and they should be considered as one element of a multi-dimensional mediation effort.

10.2 Organisational problems

This section briefly addresses concerns raised by interviewees about organisational issues and challenges, principally in relation to the world's most prominent Track 1 mediation organisation – the United Nations. As noted in section 4, this UN focus reflects the professional experience of many interviewees. Yet there are organisational challenges across the field, and some of the concerns expressed about the United Nations have relevance to regional mediation bodies, and even some non-governmental mediation organisations. As a short section, it does not seek to cover any issues in depth but to give a sense of the issues of concern, namely: the determination of the lead mediation authority; the structure and role of UN missions; the relationship between UN headquarters and field missions; and the institutional effectiveness of UN headquarters.

The principle of subsidiarity in mediation broadly refers to the idea that mediation efforts should be undertaken by actors who are geographically, geopolitically and culturally closer to any given conflict. It

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is seen as the guiding factor as to whether the United Nations or a regional intergovernmental organisation should take the mediation lead in any given case.

One African envoy with UN and AU experience warns that this principle should not mean that the United Nations can abrogate its responsibilities.[279] Indeed, while many see the principle of subsidiarity as useful, they do not believe it is always conducive to effective mediation, and point to the advantages of mediation actors who are not seen as partial or having vested interests. As one African practitioner says, "[W]e do have, you know, issues with some of our African regional and sub-regional organisations who want to keep at bay Western influence, but then themselves are doing it for their own political and economic interests and not for the interests of the people, or the state or peace."[280]

A former senior UN official says of subsidiarity:

> Sometimes it works, sometimes it doesn't. And it doesn't because the parties and the mediators are just too close to the situation. And when you are in the same neighbourhood, you have your national interests impacting your approach, your thinking, your line of argument, but also the perception…. Sometimes it's better to have a mediator who doesn't have any previous relationship with the parties, a little bit removed from [the context], particularly in their national capacity, [so] that there isn't a conflict of interest in what they are trying to do.[281]

Others echo this line of thinking.[282] According to one North African scholar: "So usually people move from that [foreign envoy] paradigm to kind of a post-colonial approach to things. And so it's like, 'Now we have to listen to the locals,' and this kind of thing. 'Bring the locals in,' and so on… but the locals and the region in which the conflict is taking place, are part of the problem. Rarely, can you find ways to mediate through the region."[283] One former UN official notes that some of the countries affected by violence actively seek UN involvement and request appointees who are not from their regions to avoid the risk of impartiality: "It's not that they're beholden to old colonial masters or the imperial powers; it's in part because they don't trust the others as being able to step out of the national role."[284]

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[279] N200. "I am very clear on that, that even if the AU is in the lead, the UN is needed…. [On emerging crises] I am unsatisfied with the current trend in the UN [which] says the AU should be in the lead, and we should support. So, it means that the AU should take action, but if the AU doesn't take action, that means we are doing nothing."

[280] M105

[281] C562. The full quotation: "What is happening in particularly in Africa, is the African Union and the regional, regional communities like ECOWAS, and IGAD and SADC, and you know, those groupings are playing an increasingly hands-on role in mediation and resolving problems. And the logic behind that is, of course, these are African problems, we must find African solutions, we understand the situation better, we have our relationships, we can influence the actors, etc. Sometimes it works, sometimes it doesn't. And it doesn't because the parties and the mediators are just too close to the situation. And when you are in the same neighbourhood, you have your national interests impacting your approach, your thinking, your line of argument, but also the perception. So the idea of Ethiopia mediating amongst the Somalis, it's really difficult. And so they have run into difficulties in the current conflict in Ethiopia, for example, the IGAD, and AU. The AU chairperson appointed three former heads of state, they came in, and they were rebuffed, and they were basically told, 'This is, this is our internal affair, we'll sort it out.' So there's increasing use of regional actors, high level quite often. But the efficacy of that is highly questionable. It has worked sometimes, but it hasn't [in other cases]. Sometimes it's better to have a mediator who doesn't have any previous relationship with the parties, a little bit removed from [the context], particularly in their national capacity, [so] that there isn't a conflict of interest in what they are trying to do."

[282] C261. "Mediation on the African continent also then gets totally stuck on regional strategic interest, because what they do is they delegate mediation to the region. So for example, the conflicts in the Horn of Africa, that I know the best, they have been delegated to IGAD. IGAD consists of countries with deep interest in each other's countries – strategic, economic, financial. I mean, the mediation on South Sudan was a total disaster."

[283] I415

[284] Z750. This point was also made by two participants in the expert colloquium of 14 October 2021.

Some interviewees argue that the way UN missions are structured and managed impedes the mediation effectiveness of envoys. UN missions are often configured in "integrated missions" which means that the envoy might be expected to ensure progress towards objectives in a wide range of spheres in addition to their mediation responsibilities. Under such arrangements, a Special Envoy or Special Representative of the UN Secretary-General is responsible for running a "special political mission", which is typically complex and challenging, while also having nominal responsibility for the UN's agencies, funds and programs, which work on a range of humanitarian, development and human rights issues.[285] Some UN officials see these responsibilities as a distraction from the core issues on which an envoy should be focussed. Consider these reflections by a senior UN official on the UN mission in Somalia:

> Is it so useful, that you've got this huge rule of law unit sitting there? And they talk about deploying mobile courts and the court system, and all these various things that yes, of course, they're helpful, but in order to get to the heart of the politics – in our case, the Federal Government–Federal Member States' dynamic around federalism in the constitution, and of course, then Al-Shabaab – none of that really matters in the slightest, and then it's a question of, well, could you be better off if you just had these really small, really agile, really focused envoy offices that really just look at the political process and the mediation? And on that one, I think, personally speaking, I tend to think that yes, indeed, sometimes that would be more helpful, rather than all the machinery around it.[286]

Interviewees also register concern that having multiple responsibilities generates a vast amount of work for envoys which severely constrains the time and energy that they can devote to mediation efforts.[287] As one non-governmental practitioner explains:

> [T]he envoy model, as it is right now, I think it sucks big time. I think it doesn't deliver, I think it basically captures, I mean, it sort of locks processes into this *perpetuum mobile* [perpetual motion], into a very small ball [sic] where everything, it's about that, and nothing is about what actually happens outside, where the real world exists… because time is limited for people as well. There's as much negotiating and meetings that you can do in a day, right? Some envoys, actually the majority of them prioritise the relationship building with the mandating institution and state, they prioritise it – they have to be handled: the more states that have a stake, the more you're going to get the envoy flying left and right to explain to the member what is it that they are doing so that they don't get challenged in the process. If they would spend the same amount of time actually dealing with the issue at stake, that [would be] perhaps slightly better. And then there's the whole institution. I mean, if you look at the UN, my God, the whole layers of who does that and how many agencies, and how is my team talking to the DPKO? And what about the UNDP? And who gives money? Who has the money... and who can use the money? And what systems do we have and what instruments? It's a huge burden. I think that basically envoys with the system that we have right now, basically spend 75 per cent of the time just on this crap, rather than actually dealing with anything else.[288]

And compounding this problem, says a former senior UN official, is the absence, in most UN missions, of an individual, who reports to the envoy and who is responsible for coordinating the mission and ensuring it fulfils its mandate.[289] According to another former senior UN official these factors help to

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[285] For simplicity, in this text both positions are referred to below as an "envoy".

[286] P491

[287] A mission's wide range of responsibilities also reduces the number of personnel that are specially recruited and assigned to mediation work, an issue considered below in section 11.3.

[288] F705

[289] Z750. "You don't really have someone that's responsible, that reports to the SRSG, that is responsible for the overall coordination of the mission and mandate and implementation of the mandate in the same way you do in the British Embassy system or the US Embassy system."

explain why the "chief of staff" role for missions was created "but it hasn't really worked".[290] Thus, many question these arrangements. It is not difficult to see why the former official asks in exasperation: "What is the role of an SRSG? Is it to be a global statesman? Or is it to run a mission?"[291]

A further drawback of multidimensional missions is that if there is a problem in an area of work unrelated to mediation it can undermine the reputation of the mission as a whole, jeopardising its ability to play an effective mediation role. And yet the envoy is seen as having limited authority over the various parts of the mission. As a former senior UN official concedes, "I think that right now we are in the worst of both worlds: no real authority, but nominal responsibility. I don't think it works."[292]

A related problem arises in situations where UN envoys are at least nominally responsible for "peacekeeping" forces that support the extension of state authority, while also overseeing or advancing engagement with armed groups that are fighting the government. In some cases, an envoy's relationship with a host government or peacekeepers can serve to enhance their status and leverage in the eyes of non-state actors, but it can also compromise their "good offices" role. As one practitioner says, "When you've got peacekeeping forces that are essentially taking a side in a conflict, mainly the government's side, you're not in a good position to mediate. You're compromising your good office's role. It's just, it's obvious, right? I mean, it's just a no-brainer. And I think that's one part of the reason why missions in Mali and DRC [Democratic Republic of the Congo] have been a disaster, as far as advancing political agreements are concerned."[293] Other UN missions, such as the UN Assistance Mission in Somalia, might be said to be constrained in a similar way.

Mediation specialists also believe the effectiveness of UN field missions is impeded by an excess of bureaucratic rules, regulations, and procedures. As one leading practitioner says, "The UN is an invitation to what could be possible, but it is also a very bureaucratic entity, a very heavy, actually I would say hyper-regulated entity…. [And] I would say that culturally, the bureaucracy wins over politics."[294] While bureaucratic requirements may, in principle, serve valid purposes, they have been substantially augmented by the inclination of certain parts of the United Nations to expand their control or influence or to substantially reduce or eliminate risks, such as those that are operational or reputational in nature.[295] While this is understandable, there is a danger that the achievement of core objectives is subordinated to the protection of institutional interests. For example, restrictions on the movement of personnel in some UN field missions make it extremely difficult if not impossible for them to fulfil their duties, such as building relationships with key interlocutors and acquiring a deep understanding of

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[290] I535

[291] I535

[292] Z750. Full quotation: "I have a lot of questions about the integrated mission concept. It seems to me that we have the worst of all worlds with the integrated mission… But you end up having the Special Envoy is supposed to represent the head of a political mission. …in charge of an SPM [Special Political Mission], often the large, complex SPM, that doesn't really have the authority over the agencies, funds and programs, that report back to different governing boards or back to different parts of the UN headquarters, but yet they're burdened with looking like they're the manager, with looking like if there's a crisis in the UN country team, even though the SRSG probably had nothing to do with it, because he or she doesn't really have authority over the UN country team, nevertheless, the whole mission suddenly has a bad reputation. And the whole mission is looked at with suspicion by, it could be by UN headquarters, it could be by locals, it could be by other member states. So… if you have an integrated mission, the SRSG really does need to be in charge of everything in an equal way. Or you have a separate UN country team doing its humanitarian and development work, working within the broad guidelines of whatever the Security Council mandate on that particular country is, but then the SRSG or special envoy can really focus on the mediation, on the conflict resolution, the conflict prevention. I think that right now we are in the worst of both worlds: no real authority, but nominal responsibility. I don't think it works. I don't think it works very well… I just put a question mark there whether or not integrated missions really serve our purpose or not."

[293] D371

[294] E975

[295] K632 and U673.

society.[296] Risk aversion is understandable in insecure environments, but taken too far it can constrain and even immobilise activity to the degree that it defeats the original purpose of deployment.

The morass of rules and regulations that apply to a typical UN mission is seen as absorbing a huge amount of time, which could be used more productively, and as stifling the proactivity, spontaneity, responsiveness and flexibility that mediation efforts sometimes require. As one scholar-practitioner concludes, "[A]t some point your bureaucracies become so thick that they're unable to adapt and be responsive… because you get to a place where you're so inefficient, you just can't carry your own weight, and, you know, that does feel like it's a UN tendency."[297]

The management of UN envoys is a subject of concern. In particular, there is a disconnect between the UN headquarters and envoys – a relationship which is far looser and less supportive than between capitals and their ambassadors.[298] One former UN envoy, who was previously a diplomat, says the transition to the United Nations was "jarring", having been used to a sense that your capital "had your back" and was often guiding or steering your efforts "with the 7,000 mile-long screwdriver from Washington, you know, the three VTCs [video teleconferencing calls] a day".[299] Indeed, says a former UN official, "[I]f you… need more support from headquarters, need more guidance from headquarters, or want more guidance from headquarters, it's often lacking…. So there's this very strange 'out of sight, out of mind' attitude from New York about some of the special envoys until they do something that would get the Secretary-General in trouble."[300] Indeed, some question the strength of the relationship between the Secretary-General and his envoys, and his willingness to substantively engage with their efforts and invest political capital in them. "Right now, I mean, if I were an SRSG," says one expert with UN experience and expertise, "I would be deeply worried about what kind of support I'm getting from the Secretary-General."[301]

One former senior UN official describes serious rivalries within the UN system, including between the Department of Political and Peacebuilding Affairs (DPPA) and Department of Peace Operations (DPO, formerly DPKO), to the extent that the latter would in some cases take steps to undermine SRSGs to force them to quit. "I was really stuck that there were people in DPKO dedicated to bring down [a named envoy]."[302] The former official named three former envoys that were subjected to such efforts: "They want to make life uncomfortable for them so they [the envoys] say, 'sod you' and walk out." The interviewee described other cases of highly strained relationships within DPPA between headquarters and the field. "[I]t is so outrageous – the dynamics, that headquarters and the field are having this sort of endless strife, and [that the field is] totally under-supported…. [Y]ou've got to make sure that things like that aren't allowed to undermine the entire peace process in a country, right?"[303] This contributes to a situation, says the expert with UN expertise quoted above, in which there is "very little trust… between, frankly, the headquarters and the field".[304]

Another former senior UN official says this state of affairs is partly due to the reserved attitude of headquarters, and partly the detached, imperiousness of envoys. Rarely are there balanced discussions, says the former official: "This never happens. I mean, 'I'm the Special Representative. Who the hell are you, bureaucrat!? What do you know!?'… So mediators are viceroys, they do pretty much what they

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[296] Discussions with current and former UN personnel in March and October 2022.
[297] S590
[298] I415
[299] M912
[300] Z750
[301] K632
[302] I535. Interviewee I415, a former UN official, also describes "conflict" between DPPA and DPKO.
[303] I535
[304] K632

please."[305] These attitudes may in part be attributed to perceptions that the UN Secretariat is slow-moving, inefficient and self-absorbed. It is seen by some as too detached from, and out of touch with the field.[306] Others say it is self-interested: more concerned with protecting its own authority and reputation than addressing problems.[307] It is also widely seen as resistant to new ideas and comparatively slow to adapt and respond to new challenges.[308] Some UN officials worry that not only field missions but the system as a whole is not sufficiently focused on political change. One UN official says that major internal UN reviews emphasise "the primacy of the political, the recognition that whatever we do, ultimately, it's about the politics and about the political process and the political role that the SRSG or the envoy needs to play".[309] According to the official this doesn't translate into practice:

> Everybody constantly parrots this. And yet, it just doesn't have any traction whatsoever, in terms of the real recognition of what this means… So you sit in these meetings, and you have people parroting this, 'Ah the primacy of the political,' and then they fall back into these institutional interests and the technical rule of law stuff and the military uniform stuff, and the protection, and you sit there and think, but you just said the primacy of the political. And then all that your political officer is good for is to write the code cable. So, not to say that mediation is exactly the same thing. But this dynamic of how do you anchor this more [in the political], is really, really tough because we keep talking about it, and everybody keeps parroting it, and then nothing actually changes in the way we approach it…. And then [on top of that] the general institutional mess around, we have way too many departments and actors and sections and agencies, funds and programs, and everybody's got diverging interests.[310]

Related to this, a small number of mediation specialists question the degree of commitment to mediation at the highest levels of the United Nations. One UN official expands on this concern:

> [T]he involvement of the Secretary-General in conflict mediation is less than it used to be [compared to previous officeholders, such as Kofi Annan who] was actively mediating some of these conflicts…. You know, this Secretary-General and I think his predecessor, and even Kofi [Annan] to some point, there's just this reign of things that they do – they do so many things, which are worthy… they're good things to do. But I'm not sure the SG is any more quite the world's chief diplomat, in the way that they used to think that they could be…. This Secretary-General came in promising, quote, 'a surge in diplomacy'… He clearly tried to put it high on his agenda, but he's also, from what I can tell, been slightly mugged by reality. They say that his first attempt to mediate really was to try to bring home the Cyprus deal in 2017. And in the end, it didn't work. And that, combined with Trump and Putin and all the rest, I think it all became a bit much. And I think he probably came to the view that actually, this is harder than it looks, or that there's not many easy pickings here.[311]

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[305] F301. The full quotation: "In the mediation process, there should be a great connection between the mediator and the UN headquarters. Normally, we say: 'No, no, no, we have to let the guys in the field, they are the ones who are on the ground and let them lead this as they see fit.' Yes, but, you know, you have to be co-equals, because we have distance, we see the shortcomings, and we should be able to sit down regularly with this team and say, 'Listen, you know, you have to address this. Be careful of that. We see the situation as this…' You know, at least have these discussions as peers. This never happens, I mean, 'I'm the Special Representative. Who the hell are you, bureaucrat!? What do you know!?' This kind of nonsense, we should find a way of getting rid of so that we can all be on the same page and working for the same purpose. This doesn't happen. So mediators are viceroys, they do pretty much what they please."

[306] S590

[307] S590

[308] X753. It should be noted that interviewees appear to have concerns about the institutional culture of regional organisations, but their criticisms where overwhelmingly directed towards the United Nations.

[309] P491

[310] P491

[311] Quote not attributed to protect anonymity.

Implications and propositions

Interviewees' reflections on organisational problems suggest several possible changes of policy or practice that could improve effectiveness. Broadly, specialists take the view that a strict, either/or application of the principle of subsidiarity does not, in most cases, serve to advance mediation effectiveness. Some, including this UN expert, argue it might be more productive to think about possibilities for complementarity:

> I think what [subsidiarity] ends up doing is it creates a kind of hands-off type of way of approaching these things, where we can't touch that conflict, because it falls within, say, East Africa, and so it's an IGAD's thing, and IGAD is reporting to the AU; and so that limits the ability of the rest of the international community to get involved. I think if we focus more on the idea of seeing those conflicts that require a mediation intervention as necessitating far more of an effort to find the complementarity of the capacities that different institutions can offer, and thought about strategic partnerships, and the idea of working together rather than protecting turf, then we would also be more likely to be able to tap into the full potential of the international community to have a positive impact on those conflicts.[312]

Echoing this, one former UN envoy argues for a case-by-case consideration of if and how different actors can usefully support mediation efforts in different contexts: "So I don't think it's about reforming the model necessarily but it's about knowing when the UN can be effective and when the UN cannot be effective. And then just take it from there. And then it's also about the UN accepting and supporting [the idea] that others can sometimes do the job."[313]

There seems to be a strong case that the UN Security Council should refrain from over-burdening UN envoys with multi-sectoral responsibilities if they are also expected to lead mediation work. In such cases, other senior UN officials should be appointed and given the authority to take on non-mediation responsibilities. This should also be considered where such responsibilities, including for peacekeeping forces, might create conflicts of interest or undermine perceived impartiality that could limit an envoy's potential for "good offices" or mediation work. This would not eliminate perceptions of bias or of a conflict of interest, but it might attenuate such perceptions and enable them to be better managed.

Consideration should be given to ways of improving the relationship between missions and UN headquarters in order to strengthen the relevance and utility of the advice and support provided to envoys, while leveraging the expertise and political relationships found at headquarters. According to some, steps could be taken to build an institutional culture in the DPPA that is more dynamic, responsive and open to new ideas. Although the United Nations has recognised the need for organisational reform, it appears to be prioritising advanced capacities – "data, innovation, digital, foresight and behavioural science expertise" – rather than the issues raised above.[314]

Relatedly, there are some mediation specialists who believe that the quality and scope of support provided to mediation teams in the field would benefit from mediation support units being located, organisationally, in greater proximity to institutional decision makers.[315] This, it is argued, might also mean mediation work is treated as a higher political priority. Referring to the UN Mediation Support Unit (MSU), one mediation official observes:

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[312] N291. J325, a scholar-practitioner, also emphasises the importance of complementarity.

[313] C261

[314] "Our Common Agenda Policy Brief 11: UN 2.0: Forward thinking culture and cutting-edge skills for a better United Nations system impact" (New York, NY: United Nations, 2023).

[315] O717

[I]t's so low placed in the hierarchy…. And I think the leverage of the MSU is hampered by the fact that they're not, institutionally speaking, taken very seriously. It would be a very strong signal, if one were to say, 'We want this instrument, we want mediation and peacemaking to work and it's at the core. Therefore, it's a no-brainer; it has to be right next to the SG [UN Secretary-General] or right next to our minister.' But that tends not to be the case. I don't know of any MSU [in other governmental or intergovernmental bodies] that is in a strategic position. It tends to be downgraded to the technical level.[316]

Others are concerned that such changes might not have the intended effect, and lead to more political interference, driven by state interests, with field-based mediation work. As one UN envoy argues, "credibility comes, believe it or not, by being on the ground…. I don't think we need the new structures. We need simply, we need to reinforce the credibility of the current structure."[317]

Some UN officials argue for a far greater commitment to mediation throughout the DPPA, which should be "a cadre of mediation-minded people".[318] They call for UN leaders to bring about a stronger focus, across the UN system, on the political dimensions of the organisation's work, and concomitantly, a greater recognition of the role of mediation. As a serving UN official says:

And so maybe, to say it in a slightly more constructive way, what would be really useful would be for an SG and a top leader in the UN… to really embrace the notion of the primacy of the political in mediation and to keep pounding that home. And then to ensure that the relevant, interdepartmental and interagency processes really internalise this, not just parrot it without them doing anything about it and understanding it, but really embrace it. So every time bringing a discussion back to: 'But really, yes, there's a humanitarian problem, yes, there is a development issue, yes, there is this challenge, but what is it at the heart of this situation that is political, and that is, in all likelihood, ultimately, a mediation challenge? And what can we do? And how can we best do that?'[319]

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[316] B468
[317] U316
[318] B298
[319] P491

11.   SUITABILITY, SKILLS AND EXPERTISE

11.1   Unsuitable appointments

Finding a mediator for any given conflict who has all of the right attributes, in terms of their personal qualities, mediation skills, knowledge of the context, and perhaps acuity and influence, among other things, is not an easy task.[320] In addition, as one UN official says, "you need to be principled… on the one hand, and on the other hand, you need to be able to reach out to people who've got their arms covered in blood because that's what it's about at the end of the day. And managing, mastering that tension is really, really hard."[321]

Yet, there are few issues on which mediation practitioners are as united as in opposition to the way in which senior mediators are appointed.[322] An overwhelming majority of mediation specialists believe that a significant number of individuals appointed to senior mediation roles in the United Nations or regional organisations do not have the qualities, skills and experience that such roles require. This is attributed to selection processes in which decisions are not made in accordance with merit-based criteria, both generically and in relation to specific roles.[323]

With respect to UN appointments, both the United Nations and member states are seen as at fault. The United Nations is faulted for failing to identify and recognise mediation skills and incorporate them into appointment processes. According to one UN envoy:

> Of course, we're not employing the right people. We don't know what the right person is. And I think that's possibly as true for NGOs as it is for the UN. Absolutely true for the UN, obviously. We, the UN, still don't distinguish between political diplomacy and mediation, don't know there's a difference, and certainly don't see the difference in skills. The UN doesn't look at skills for mediation when appointing its envoys or key staff whose job is mediation. And so this is the core point, you have a situation where in any other walk of life, let's say you're selling soap, you have to have some skills relevant to selling soap, maybe marketing skills or something. In terms of mediation, that's not that's not asked – you're not asked to have certain skills…. [Y]ou have this extraordinary movement that we were all part of the 20 years ago, to create an identity for mediation, and… it hasn't done its first cab off the rank task, which is to create an acknowledgement that mediation…. is a set of skills…. What are the skills?... [O]f course, they include empathy, they include, tactical creativity, they include courage, they include all sorts of things. But [the United Nations] should be setting this out more clearly and making it a requirement for an interview process. So, for example, when [a UN envoy] was allocated to [a certain conflict], do you think for one minute there was a moment of discussion about whether he had the skills? Of course not. It was whether he'd get through the Council. So there needs to be a skill set and a sense at headquarters, obviously a reinforced headquarters with some talent in it, as to: 'Okay, take [a named envoy], now what are the elements of that generic skill set that you need?'[324]

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[320] P491, a UN official: "[A]ll of those things in one [person] is rather rare to achieve". Another UN official, B298: "I don't think it's realistic to expect them to have all of it [all the relevant skills]. I mean, this is some of the hardest stuff people do in the world."

[321] P491

[322] The term "mediator" in this context includes heads of intergovernmental missions, such as UN Special Envoys or Special Representatives, where they have mediation responsibilities.

[323] U407: There are some places where "quiet, mid-level mediation" is more effective and more acceptable to host and neighbouring states than "a big guy".

[324] E610

The United Nations is also critiqued for giving disproportionate weight, in selection processes for senior appointments, to attributes that are not directly related to the competencies required for specific roles. "The question is less whether you get a white or a black envoy or an Arab envoy. The question is to really get a qualified envoy," says one North African scholar.[325] One European mediator expands on that logic:

> So, people are appointed at every level [of the UN]… not on the basis that they are necessarily the best person for the job, but you know, which continent do they come from? Why the hell should that matter? That's not the point of the exercise. But all over the place, you get this now, people appointed because of their colour, or their gender, or their religion, or their country or all these kinds of things. And the notion that people might have a particular contribution to make, which is not to do with those things, is just out the window. So, you're starting from a long way back. You know, in general, you're not going to go to your doctor because your doctor is black or white, or male or female, or gay or straight, or whatever. You want to know does this person know what they're doing? And by the way, how have they done with previous patients?[326]

With respect to the role of states in the appointment of envoys, interviewees describe a murky, improper, exclusionary process involving diplomatic manoeuvring, deal-making and horse-trading, driven by state interests and preferences.[327] States are also seen as routinely ignoring mediation skills and experience or giving such factors little weight. Rather, selection processes are seen as dominated by calculations as to whether an appointment advances or is consistent with their interests, and at a minimum, does not undermine them.

The subordination of efficacy considerations to state interests is seen by some as undermining the integrity of the appointments process, the legitimacy of the appointments, and the prospects for success. According to one UN expert, states "are not interested in the mediation process, they are interested in how they see the outcomes, and whether those outcomes resonate with their interests or not. So they then have a fallback disposition that actually undermines mediation, if not destroys it."[328]

While not all mediation professionals are quite so critical, nearly all have "major concerns", in the words of an experienced scholar-practitioner, "about the process of appointment which is more about politicking than about really finding the right person for the right job".[329] Appointees, says another scholar-practitioner, "should be equipped to mediate".[330] The system, they observe, leads to the appointment of a considerable number of former politicians, high-level officials, and diplomats, apparently on the assumption that this qualifies them for mediation work. This assumption, they argue, is false. Some appointees turn out to be adept at mediation work. One former Singaporean official was described by a scholar as "a hugely skilled diplomat, who every time he was given a little bit more responsibility as a mediator, handled it beautifully".[331] However, many such appointees are not so successful. The scholar-practitioner quoted at the beginning of this paragraph says of an envoy currently serving in a West African country: "[H]e's not a mediator, he's a diplomat. He's a good negotiator. Negotiation and mediation are cousins, they're not twins."[332]

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[325] I415

[326] F701

[327] T619. As noted above, in some cases, in the United Nations, the calibre and qualifications of candidates are seen as secondary to whether a candidate will pass a vote of the Security Council.

[328] O127

[329] O717

[330] G574

[331] E273. The individual referred to mainly worked on trade and environmental issues, but he also worked on territorial and humanitarian disputes.

[332] O717

Indeed, as discussed further in section 11.2 below, individuals with diplomatic or political backgrounds often either have or develop traits that render them unsuited to mediation work. "A diplomat is a government representative," says one former UN envoy. "That's fundamentally different from being a mediator.... In fact, you could argue that it develops, you know, contradictory instincts. But somehow that's what it's assumed to be and that's where people look."[333] Indeed, in some cases UN envoys with diplomatic backgrounds are seen as continuing to serve their country's interests. As one mediator says, "They're appointed to represent the interests of the people that appointed them."[334] A scholar-practitioner observes, "These special envoys are not actually serving the public international interest. They are not even just serving the UN. [A former UN Special Adviser on a specified conflict was] protecting Indian interests. That's what he was doing. And he sat there for five years doing that…. and what I know is that there were many opportunities to act in another way."[335]

A senior UN official gives an insider's account of how corrupted the appointment system has become, and the adverse implications for mediation work on the ground:

> [W]ho is invited– who becomes a mediator? Senior diplomats mostly… and then they transition to mediation. Sometimes they are senior politicians, who are not the wiser because of that, but, for whatever experience and reason, 'We need to get rid of this guy, he's becoming very powerful, and so we make him Special Envoy to Yemen and let's hope that he burns himself there.' And because we are a member of the Security Council we push and pull, and we make sure that this guy is appointed. I have seen, unfortunately, many instances where mediators were appointed on the basis of negotiations between or among a certain group of countries. But we, as the Secretariat, as the experts, were never taken into account – our views or advice in terms of how to select mediators. That was another thing. You were told: 'This is the mediator, so work with him and give him or her all the support.' I mean, this is all but the mediator. Yes, he's a senior diplomat; yes, he's a former minister; yes, he's a very good economist or politician, this is not– He's a former president for Christ's sake, but he's far from being, you know, a mediocre mediator. I mean, I personally had this discussion. 'Oh no, but this is the agreement, this is the consensus.' So, this is the person that they have to work with, and help him or her implement the mandate of the Council, and you know from the get-go that this is not going to go anywhere. But we have this for one or two or three years, more or less, and in the end we will have to find somebody else. The net result of this appointment will be that the process will go nowhere. The tensions between the parties are going to aggravate, if anything. And if you don't move forwards in the mediation process you move backwards, you don't stay in the same place. The parties are alive and scheming and calculating and taking forward their agendas.[336]

Thus, practitioners overwhelmingly regard the appointment system as seriously flawed in that it creates and perpetuates a significant risk of unsuitable appointments.[337] It is described by one scholar-

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[333] U407

[334] F701

[335] R845

[336] F301: "Multiple systems operating in the same space simultaneously."

[337] D371: "It is a real problem that we still have envoys being named for very important responsibilities that don't really have any relevant experience. They've been, you know, minister of foreign affairs or whatever, and that doesn't mean that they'll necessarily be bad at it. Sometimes they may be much better than someone that has had experience. But it's much riskier." F436: "Look at the politicisation of the appointment processes within UN… it's become very politicised, so in some sense, and it's [an] important prerogative of the Secretary-General, which I worry about; I think it's in some ways it's been lost. And that's worrying, because there should be a principle within the International Civil Service that you should be able to get the best person for the job, regardless of nationality, regardless of anything else, and there's a lot of political horse-trading around that. Sometimes the outcome is good and sometimes it's not, but it's a bit of a toss-up, and you don't really know. And there are people appointed to big jobs, and you have, without a proven track record in that area, and sometimes they've turned out to be great. But sometimes they turned out to be really not great. And that's a problematic aspect of it."

practitioner as a "shadow system" that operates alongside a system that recognises the importance of professional mediation skills.[338]

Some interviewees say that these problems are long-standing. One expert gives the example of the UN's appointment of Joe Clark, a former Canadian Prime Minister, as the UN's Special Envoy for Cyprus (1993-1996), notwithstanding that "Joe had no goddamn idea about anything in Cyprus. I mean, it was ridiculous. Why was he made the Special Envoy in Cyprus? Because Canada contributed the main troops, and they needed to do something with Joe Clark… and never mind… he genuinely knew [expletive] about anything [related to mediation], how to solve anything of this kind."[339]

However, some believe the process has become less transparent in recent years, and draw attention to the increasing "politicisation of the appointment processes within the UN", as one senior UN official puts it.[340] Indeed, the convergence of opinion among senior UN personnel on this issue is striking. Consider the concordance of views in the following four paragraphs, articulated by three former UN envoys and one senior serving UN official, respectively:

> Yeah, everybody [nation states] are pushing that they get the job and then the SG says, 'Yes okay you get it and you get it,' and there is a pro forma. Now, there is no transparent nomination of SRSGs anymore under Guterres, but with Ban Ki Moon at least there was a formal process that you had to be interviewed.[341]

> [I]t's basically politics that's determining who's been assigned to different positions, meaning it's the lobbyism of individual member states. I've been told that unless a foreign minister or prime minister directly contacts ASG [UN Assistant Secretary-General], the person doesn't have a chance in the process… [Previously] there was at least an attempt of interviewing people with a certain sincerity and looking at competencies of the individual concerned… but now it's really, really bad.[342]

> [The appointment of envoys is] becoming more and more a matter of member state politics rather than selection on the basis of a match between the situation and the qualities of the individual. And certainly, it doesn't seem to have much to do with people who've acquired experience through the system, rather than, you know, parachuting in some ex-foreign minister or whatever it is, whose member state is pushing for the appointment. So that's a huge issue. I think, and unfortunately, one that in the UN is going backwards so far as I can see. Certainly, as far as SRSGs are concerned. I mean, it's been happening in a number [of] recent [and] current cases… So you've really got a problem if the selection process is not meritocratic. That's a huge problem.[343]

> Who the envoy is, does still matter…. and I think on that, we really fail. Because the way the appointments are made, [they] are really driven by the great powers… Now more than ever before, it's really the big powers who push and push and ask for so and so to be appointed. And it has nothing to do with expertise on mediation…. [or political skills] and emotional intelligence…. The problem is that, I think [over] the last four years, we've caved [in] completely to the member states, so now, of course, their appetite has been whetted, and they expect that with every single appointment…. Everything is now [seen] through a highly politicised lens.[344]

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[338] E273

[339] R845

[340] F436

[341] C495. This interviewee points out that even greater transparency didn't alter the eventual outcome.

[342] Expert colloquium, 28 October 2021.

[343] U407

[344] M807

Some interviewees argue that geopolitical factors are inevitable for appointments in intergovernmental organisations, especially in an era of internationalised civil conflict and major power rivalry. Moreover, potential attributes in one context may prove to be liabilities in another, and certain mediation efforts can benefit from an individual with strong diplomatic affiliations or a political stature.[345] High profile figures can be useful for securing access, incentivising participation, exercising influence or even applying pressure.[346] As one UN Standby Team member says: "I think it's important to recognise that in many contexts, because of the power of the conflicting parties and the leadership within them, you do often need somebody with a certain gravitas and with a certain international standing to be associated with the mediation process…. [who] may play a key role in giving legitimacy and credibility to the process, and bringing the powerful people at the top of the leadership chain to the table."[347] Thus, Kofi Annan is seen as having been the right person to mediate in the violent aftermath of the disputed presential election in Kenya in 2008.[348]

However, this expert also says that in more fragmented conflict environments, especially those with ethnic and identity-related dynamics, the leaders of conflict parties are not always able to speak on behalf of all affected constituencies, groups and communities. This means it is important to have a mediation team, or organisations working in partnership with the lead mediator, that can engage with a range of leaders at different levels.[349] Furthermore, experienced and well-connected mediation teams can offset a "mediator's" lack of mediation expertise and experience. In practice, however, as described in section 10.1, mediation is "centred still too much around a [single] person", as one practitioner puts it.[350] Even where such teams exist, they are not always used.[351] One UN official concedes, "[T]here is still a gap between the high-level mediator and actually tapping into the process design expertise and the technical expertise that we have and bringing those together."[352] A former UN Standby Team member explains:

> We've been saying that, you know, this is not a one-person show, that mediators need teams. But more often than not, the kind of people who are appointed don't know how to work with teams, except by issuing orders. They don't listen; they don't consult. And therefore they might have very competent people in their teams who are either sidelined or not allowed to do a coherent job of strategising, planning, whatever, right…. And I do think that fundamentally, mediation requires some sort of expertise. You can either know the region really well or have facilitation skills, or have both, or have people with these various abilities within a team. But the problem is right now teams are only teams by name, it's still a one-person show and the one person often has neither the skills nor the regional match.[353]

Another mediation expert and member of the UN Standby Team echoes these views and argues that sidelining mediation expertise can adversely affect the outcomes of mediation processes:

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[345] U673

[346] N200. A former UN deputy-envoy (X753) says such individuals can be useful "every now and then when you really need your 'big gun' to so to speak, knock heads together and be the influence, use the public stature of that individual at the right time".

[347] N291. Similarly, one practitioner (F705) emphasises the importance of a mediator having perceived legitimacy.

[348] U673. The election took place in December 2007.

[349] N291. "[Top leaders] often aren't able to bring their constituencies with them in the same way. And so when they engage in negotiations, they're not necessarily representing the views of all the people that have been affected by the conflict. And so the chief mediator might be important to that top level of leadership, but you need others around the chief mediator [that other leaders] can relate to."

[350] X753

[351] O127: "Some take the trouble to work very closely with their advisors, knowing very well that it's a team effort, it's a collective effort – their face might be seen, but we know that a lot of it comes from their team; again, the minority; the majority do not… so then you have those problems." The same point is made by others, including I415 and O876.

[352] P491

[353] O717

I don't think that we should build our mediation efforts around a single individual in the way that we do at the moment. Envoys should be seen as team leaders rather than as sole arbiters of the direction that mediation processes go in… I do think this is improved from how it was a few years ago, but often people are chosen for their political credentials and their political acumen rather than for the mediation skills. And so we've always said that one can help to counter the negative impact of that by having people with skills in the team around the person. But if the power balance is not working within the team, and if there isn't a recognition from the chief mediator that they themselves are part of a team effort, rather than the boss of an effort with the support from people, it doesn't work in practice. So I think we have to try and understand more clearly the hierarchies within mediation teams and the way power is assigned… It's partly to do with the way the system works, because the UN is itself a fairly hierarchical institution, and it relates to power in a particular way. And I think some of that spills over into the way mediation efforts work and you end up either disregarding or not getting as much credence to the additional skills that people in a team around you might bring to a process. And that ends up playing into the idea of elite pacts being formed between the conflict parties, that I don't think speak to the idea of efficacy.[354]

A further practical problem associated with the teams around mediators is that in many cases they lack genuine mediation expertise, as discussed further below in section 11.3.

Implications and propositions

The United Nations, intergovernmental organisations and where relevant, states, should develop professional criteria for lead mediators with respect to skills and experience, as with any other professional positions, develop a merit-based selection process on that basis, and protect the process from political interference. As with any other appointments, it may be that a wide range of factors is taken into account by those making the appointment – including relevant diplomatic and political experience. But the integrity of the process should not be in question. Procedures should be put in place to prevent the appointment of individuals who do not meet competency criteria. Consideration could be given to the establishment of panels of highly respected professionals who vet potential candidates for mediation roles, and exclude those who are unsuitable or lacking relevant skills or experience.[355] Mediators should be encouraged, supported and advised to work closely with their teams and indeed other relevant local and international partners.

11.2 Lack of social and emotional intelligence

There is no single set of qualities and skills required for effective mediation: "There's no one size fits all," says one mediator. "Everybody has to find a way of making it happen."[356] And different qualities may be more or less useful in different circumstances and with different interlocutors. One practitioner emphasises that the particular traits and personality of the mediator are crucial:

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[354] N291

[355] F301: "One [possibility] is that there is an agreement between the mandating authorities, those who are in cooperation terms like security, the UN Security Council, and African Union, Peace and Security Council and agree on how do we conduct the business of mediation, what are the fundamental principles and approaches and techniques… what are the requirements for the mediator. There should be a, let's say a 'council of the wise' – people who are known for implementing best practices, and who are known to be reflective and who are known to have learned from their successes and failures and all of that, have them be the body that will vet candidates for mediation – really able to identify who are the individuals of the experience, the skills, temperament."

[356] A659

And the only thing that we have are these sort of legal frameworks which have nothing to do with human beings, but have everything to do with states and norms, and I find those extremely unhelpful. I think there's too much focus on states and institutions and… legal frameworks. There's too much focus on that, when at the end of the day, who negotiates and mediates? We're talking about people, and I think personality matters. It's the number one for me…. Psychology, for me, is absolutely fundamental, and I think there's a lot of ignoring of it at the moment. And I know, it's not kosher, and it's not popular and it's not fancy to say that personality matters. But I think it does, I think it's huge, it has a huge effect, because basically people, from what I could see, people commit to people. For me, it's an illusion to basically say, 'Well, people trust institutions'. No, they don't – that happens in the West, maybe in a bunch of countries. In the rest of the world, they trust the person, the individual.[357]

Yet, as noted above, in the eyes of specialists flawed appointment processes lead to the selection of candidates that lack relevant qualities and skills. An area where interviewees see the greatest deficit is in social and emotional intelligence, seen by many as indispensable for mediation work.[358] No fewer than 22 interviewees brought attention to this issue.[359]

Social and emotional intelligence serves several critical purposes in any mediation process: understanding others, connecting with them, building trust with and between them, influencing them, and helping the parties to develop relationships which underpin sustainable outcomes. This section considers the range of aptitudes that interviewees raised which could be considered to fall within this skill set. It also considers important traits seen as closely related to social and emotional intelligence: a degree of humility, or at least the absence of arrogance, overconfidence or vanity.

The *sina qua non* for mediation is listening.[360] At one level, listening enables a mediator to acquire an understanding of the human landscape of conflict which they must navigate. As one practitioner concedes, "There are so many times we made mistakes ourselves, because what I thought was right was not right; because I wasn't getting the full picture. I wasn't getting the politics. I wasn't getting the personalities. So again, listening, you know, listening to them [is key]."[361] Listening furnishes insights into the cognitive domains of identity, thought, and perception – and the realm of emotion.[362] In other words, according to one experienced professional, the mediator needs to "emotionally sense where they [the parties] were at or what was going on for them and with them. … You need to understand emotionally what's going on."[363] Empathy and perspective taking are seen as essential to achieve that kind of understanding. As a former UN official says:

> [A] lot depends on the personality of the mediating person. The mediator… you have to have empathy, you have to be capable of communication, in the sense of speaking clearly, but also listening actively to what is being said. Because that's the only opportunity you have to get a sense of what is it that is at stake here – you know, what are the fears, concerns, ambitions, aspirations of either party or however many parties you have. And of course, if you don't understand that fully to the extent possible, you have failed.[364]

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[357] F705

[358] E.g. H939, a scholar-practitioner: "I think the emotional intelligence is key."

[359] Those interviewees are quoted or referenced in this section.

[360] A659, a mediator: "Having the right person, a good listener, a patient person, is very important." F263, along with many others, emphasises the importance of listening.

[361] U673

[362] A capable mediator will look to discern who the parties really are; how and what they are thinking; how they see themselves, their enemies and the world around them; what matters to them; what motivates them; and what they really want; and what and how they are feeling.

[363] F701

[364] F301

One scholar-practitioner emphasises that "emotions are an important part of conflict; they're wrapped up in conflict".[365] According to the interviewee:

> [P]eople need to have an understanding of the past, of the traumas of the persons, of the human connections or the human dimension of the politics to be able to do the job well. This is not just about political, military, security, or economic issues, this is also a lot about people. So much so, actually, that whenever I was asked when I was on the Standby Team, what I thought had been the most surprising to me, was the fact that it wasn't so much my knowledge and my analytical skills, but what I consider to be a little bit of emotional intelligence that got [us] as far as it did in a number of processes. Not necessarily sympathy, but empathy and the ability to understand the various sides.[366]

Some practitioners argue for an approach which, over time, is able to discern the most important dimensions of an interlocutor in a holistic sense. One former UN Standby Team member argues that "mediators need to get better at travelling into the human spirit of the people they are working with…. the deepest motivations and allegiances that a person has.... The best kind [of mediation] would be ones that travelled more into the depths of people."[367]

Listening also matters because conflict parties typically want to be heard, recognised and taken seriously. As one UN envoy says: "You know, my abiding memory of all the mediations I've done, has been the hours that have been spent listening to people tell you the same story and if you for a moment indicate a lack of interest in somebody else's history, you're finished. 'Ah, we've heard that before,' and you're done."[368]

The practice of listening and empathising is a core component of rapport building which can form the basis, over time, for trust building, a foundational element of most peace processes.[369] This kind of rapport building is, in essence, about being "able to connect with conflict parties, not just as conflict parties, but as persons", says one practitioner.[370] It is seen by this mediator as having had a critical role in the Northern Ireland peace process:

> So I can listen to and talk to and engage with Sinn Fein without them feeling either that I'm on their side, or that I'm antagonistic – fundamentally antagonistic. There are enough things out of what I say, do, behave, engage, [sic] that they can feel, 'I'm with you.' So, it's not that you are two-faced or multi-faced, you're the same person and the principles are the same… but you understand the way of being sufficiently to engage with that way of being in a constructive fashion.[371]

Some mediators emphasise the emotional dimension of this connection with the parties. As one UN envoy puts it: "The paradigm is the emotions. The fact that it comes from here – from the heart…. That is where you build the trust between you and your partners."[372]

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[365] O717

[366] O717

[367] B118

[368] Z325

[369] U673: "It's very cavalier to say 'put yourself in people's shoes' because you can never put yourself in their shoes. But what you can do is just be more attuned to the feelings: feelings are everything, and psychology is everything here. …If honestly, if there was one thing I would say is the most important thing, it would be empathy."

[370] O717. Arguably, this approximates to what psychologist Daniel Goleman calls "attunement": Daniel Goleman, *Social Intelligence* (New York, NY: Random House, 2007), pp 86-88.

[371] F701

[372] Y419

One mediation expert emphasises the need, in the most violent conflicts, for "deeper listening" which embodies compassion:

> It's one thing for people to talk about, how do you create an environment for parties to listen to one another. That's easier said than done. But in the nature of the conflicts that I've been describing, it's about deeper listening, that connects humanity to the real issues that can make it so appealing, to see that if there is concern for human suffering – and that becomes the basis of drawing the ground rules of how we mediate – you are already probably going to be ahead in the game. But not many people have that.[373]

To sum up, as many mediation professionals see it, social and emotional skills enable mediators better to understand their interlocutors and build stronger relationships with them, which is at the heart of successful mediation. Those skills also serve other purposes. They can help a mediator to manage difficult conversations and intense emotions, which can disrupt constructive dialogue.[374] They enable mediators to resist efforts by the parties to manipulate or "psychologically destabilise" them, as one former UN envoy puts it.[375] They can also help a mediator to be more self-aware of their own psychological state, given the considerable pressures they often face, and enable them to cope with such pressures.[376]

Notwithstanding these advantages, interviewees say or imply that deficits in social and emotional intelligence are common. "The very basics of human communication… is completely new for some of our colleagues," says one mediator.[377] This limits opportunities for understanding conflict parties and building relationships with and between them. It also increases the likelihood of a political bargaining approach that does not address the underlying issues and grievances which sustain the conflict. One former UN Standby Team member expands on this dynamic:

> The number of processes I've seen… what others would call Track 1 where mediators do not know how to deal with outbursts of emotions, and basically try and push them under the rug, as opposed to allowing them to become a moment of catharsis, and potentially using them to get each party to understand a little bit what it looks like to be in the other's shoes. Now I hear [Track 2 work is] better on that score… But the emotional intelligence of what I've seen in Track 1 is basically missing. And that also leads to a very transactional approach to compromise. Let's not deal with the past, let bygones be bygones, right? Let's talk about now, how can we divide the pie? This is coming from organisations which tell you in their documents and in their policy papers that root causes are important and that one needs to address root causes. So basically, putting a band-aid on a sprain.[378]

Regrettably, social and emotional intelligence does not seem to be as widely recognised as other skills falling within the mediation skill set, and is not accorded the centrality in recruitment and training that it deserves. One former UN envoy says that the United Nations does not appear to value listening skills very highly and "it's certainly not something you ever see in a job description".[379] Echoing this, a current UN envoy argues:

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[373] O127
[374] U673: "I think mediation requires a huge amount of social intelligence, and real human qualities… [such as] to suppress your ego at times; how to handle difficult conversations; when to engage, when not; when to push back, when not, you know, there's so many judgments you need to make, etc, etc."
[375] C495 – this term was used by a former UN envoy.
[376] O717
[377] R141
[378] O717
[379] R131. In full: "I've long felt that the UN doesn't look like it values listening skills very highly. And it's certainly not something you ever see in a job description. But you don't see creativity in job descriptions either. And if I have a criticism of mediators I've observed, it would be the tendency to view mediation skills, specifically their

[E]motional intelligence should be a part of the mediator's skill set.… Micro skills are important and are frequently neglected in favour of conflict analysis, understanding the geopolitical context, understanding the mechanics of managing a mediation, and not a lot [of time is focused] on how to talk to people…. [A]lmost no part– [only] a very small part of an excellent course [for all UN envoys], is devoted to: What does empathetic listening mean? How do you do it?[380]

An important facet of social and emotional intelligence is self-awareness and self-regulation. More specifically, arrogance or overconfidence inhibits active and empathic listening. As one practitioner asks, "Are we listening to simply reply? Or are we listening to understand?"[381] Effective mediation requires individuals whose egos do not impede their capacity for listening, learning and adapting.[382] As one scholar-practitioner says:

You look at people who are not so egotistical or ego-driven, that they can work with parties and not assume that they know everything. It is someone who is open to using resources and people who have expertise in areas specifically related to peacemaking, where they may not have it. And thinking about the architecture that broadens both the participation and the creativity in trying to address the specific issues that are there [and] people who have cultural sensitivities to the fact that people do things in a different way.[383]

To expand, a mediator needs to be aware of their own knowledge, predispositions, biases and assumptions, which can hamper their ability to gain an accurate and objective understanding of the conflict on which they are working. As one mediator points out:

The main tool for working in mediation is yourself, because it is you there, acting, talking, and interacting with others. So, in order to do a better job, you have to have a better tool, and to have a better tool, you have to work with yourself. And many times it is difficult, I mean, many times you cannot see your ego in the middle; many times you cannot identify your own fears, your prejudices, the way you're listening, your preferences, your assumptions. So, in my view, when people understand that the main tool for working mediation is yourself, then you have an opening.[384]

Yet, mediation practitioners say that a number of mediators lack this kind of self-awareness or "metacognition". Consider these remarks by one specialist:

I have met within the UN, people few and far between, with the emotional intelligence and the humility to think that the best way in which they can actually do their job is by listening, learning, and you know, then using their connection, their analysis, their skills, whatever, to

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own mediation skills as simply a transferable skill set, that don't necessarily require deep induction into the particular situation, listening to people outside the capital, listening to everyone, groups that you might not think of talking to a lot. So I think the whole area of listening skills is one that could do with being improved. I don't think there's any promise that there would be better outcomes. But there would certainly be better process if there were more listening skills."

[380] Z325

[381] U673

[382] U673, a practitioner, emphasises that a mediator needs the capacity to suppress their own ego.

[383] C531

[384] R141. This quote continues: "And then if they are willing to become better mediators, they understand that they need to work with their own way of looking at the situations. In my view, in my experience, also to work with assumptions, was very useful, to work with people showing how we don't see our [own] assumptions and how to work with them."

build on what they've learned. So I've met people like that… but I think that they're a minority.[385]

Instead, practitioners say that a number of mediators exhibit excessive self-belief, often reinforced by the ambition for acclaim. One practitioner says, "It starts with the Nobel Peace Prize, and everyone wants one. And so we all have to, you know, beat each other to claim the credit on which conflict we've solved."[386] Such traits are seen as undermining mediation efforts.[387] Some of the best mediators ensure the parties get the credit for any progress.[388] Conversely, "I've seen too many mediation attempts failing because of … ego," says another practitioner.[389]

As indicated above, a mediator may need to be of sufficient stature or status to accommodate and manage the egos of the parties. It may be a way of according the leaders of conflict parties the respect they think they deserve.[390] But mediators who have high levels of self-confidence, such as those who have had prominent roles in politics, are often seen as having domineering, even coercive approaches, which are not conducive to relationship building and can work against mediation goals. As one UN envoy observes:

> People that have played an important role in politics are very often very stubborn, and very self-convinced. And you have to go to this negotiation and do mediation work with a very humble approach and not as a prima donna… but very often they have very strong personalities. And that shows in the course of the negotiations and all of a sudden, they become also a part of, a party to the conflict in many ways. There is no longer a two-sided table; that is a three-sided table.[391]

A leading mediator describes this tension between qualities typically associated with political figures and those required for effective mediation:

> A lot of chief mediators are appointed because they have political clout, not necessarily because they are mediators, especially in Africa…. Even in the current peace talks [in South Sudan], we have seen these former presidents have no patience. They do not. They know about mediation... but they lack the art and science of mediation. They don't have the personality for mediation. To them, 'I must go in and win. They must accept. I'm a former president. I'm going to talk to them.' They come in without really studying the conflict. You know, how many people have been hurt in the process, who are deeply scarred, who are very traumatised…. So oftentimes they [the parties] will say yes, because they're forced to say yes. And that is why you run into a lot of problems when it comes to [the] implementation of an agreement.[392]

Some observers see overconfidence as a wider problem within the culture of the field of mediation – perhaps contributing to the overambition described in section 9.1. In some organisational thinking, and to some extent in teaching and literature, it is possible to discern an overestimation of the power of mediation and its capacity to deliver results. According to one expert:

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[385] O717

[386] U234

[387] Y419

[388] The Malaysian mediator in the Philippines peace process was lauded for his determination to let the parties take credit for progress: "You know, the Malaysian facilitator, you probably don't know his name, because he was so serious about never taking credit for the process. So that was a core principle of the way that he worked… Any time any of us got, like, just a slight bit of credit, anywhere, he would go, 'Excuse me, not for you, it's for the parties. It's their conflict; they do the work; they live with this forever. You get paid, you fly in here…whatever you are, screw you, you don't get any ounce of credit." U234.

[389] X753

[390] F705

[391] C774

[392] A659

They [mediation specialists] come with this idea, we know, we have skill set, you need us. And I think that's the problem. [They should be] humble and say, 'We don't know. Whatever we have, it's extremely limited, it might work, it might not work. And let's learn'... You know, we don't approach it in this way. It's a mindset that's perpetuated by the system, by the schools, and I think by people who founded conflict resolution.[393]

A mediator's overconfidence in their ability to resolve conflict betrays a weak understanding of how mediation processes typically work, because, as one practitioner says, "[If] any one of us can claim to solve any of these conflicts, then we're totally deluded. And we have the wrong starting point then anyway."[394] A mediator is only ever one element of a constellation of factors, says a former UN envoy: "Mediators should be humble, because the issues are so big, you deal with a small part of it always, you understand, regardless of the nature of the conflict."[395] Assumptions of instrumentality are typically misplaced. As a former senior UN official says, "You have to have humility to understand that mediation is not about you as a mediator. You are just a small little instrument to facilitate [the process], that's all. In that sense, you're not part of the engine room, the engine room being the place where the parties really make their decisions."[396]

Implications and propositions

Social and emotional intelligence and self-awareness should be recognised as important qualities and skills for mediators. Correspondingly, they should be included in job specifications and feature prominently in training, mentoring and coaching. Many courses have been developed in these areas, drawing on the psychological and behavioural sciences, such as those on active listening, empathising, relationship building and managing emotions, from which mediation personnel could benefit. Conversely, the risks of arrogance, overconfidence and vanity should also be acknowledged, guarded against in selection processes and discouraged in management and training.

11.3   Lack of mediation and related expertise

As explored above, there is near universal concern that many senior figures with mediation responsibilities do not have mediation experience and expertise, and may not have the right qualities for the role. This section explores levels of mediation expertise in the field as a whole.

Interviewees recognised the growth in mediation expertise over the past 10-20 years, such as through the establishment and expansion of teams and organisations working in mediation support and a burgeoning expert literature. Nevertheless, a significant number of people working in the field still lack mediation expertise. As one European practitioner puts it, with respect to the European Union: "A key recommendation is: fix the personnel. When you send out people to delegations to be part of mediation efforts, and those people have no clue what conflict resolution is about – without any sort of background or experience of the mediation component – you're shooting yourself in the foot."[397] One practitioner describes an EU envoy in one setting as a "calamity".[398]

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[393] D537. In the final phrase of this quotation the interviewee is referring to the modern field of conflict resolution.
[394] U234
[395] N200
[396] F301. A practitioner, U673, echoes this: "Mediators don't think of their job as a privilege. And that's half the problem."
[397] O190
[398] S442

Interviewees also raise questions about the level of mediation expertise within the United Nations, including in UN missions.[399] One practitioner with experience in Libya describes a stunning lack of mediation expertise in the United Nations Support Mission in Libya (UNSMIL):

> [Y]ou realise that no one working for UNSMIL is an expert in mediation, or necessarily has to have any background in mediation. I mean, expert's a big word, but none of them have really worked on a mediation process before or organised a mediation meeting of any sort before, which is quite striking. But you sort of wonder what are these political officers being hired for? What is the job that the UN thinks that they should be doing? …. [Y]ou find that the actual mediation skills are vastly, vastly lacking… We brought together with the UN 75 Libyan politicians in Tunis… Just small things like– It drove me nuts that when the UN were trying to invite these people to the meeting, they basically drew up a list of participants themselves, and then sent them all out flight tickets, but they hadn't bothered to call some of the participants to tell them what it was they're being invited to. So you had this woman in Benghazi who was an activist, receiving a plane ticket via WhatsApp not knowing what she's being invited for…. [And] for at least five out of the seven days the UN didn't even give the participants an agenda for what they were going to be doing on the day.[400]

According to a former UN envoy, "Although there've been good people in the peace and security secretariat, again, the quality of the mediation [skills], I think, is extremely questionable."[401] As noted above, some attribute this, in part, to the overemphasis on selection criteria or personal attributes unrelated to mediation expertise. It is attributed to the promotion of generalised skill sets and regular movement between roles. "This thought of everyone in the UN being a generalist, I think may lead to quite superficial approaches to mediation support," says one analyst.[402] Likewise, in the words of one former UN Standby Team member, "Ultimately, that does not make experts. And I do think that fundamentally, mediation requires some sort of expertise."[403] The lack of mediation expertise also reflects the absence of rigorous, required mediation training for all political affairs officers.[404]

This situation is exacerbated by the existence of UN personnel, including in field missions, who are of variable calibre and commitment. "It feels to me that there's a lot of dead weight in the UN missions," says one practitioner, "We used to have these people, we called them ghosts, because they were people who basically would just wander the corridors."[405] The opportunity costs of such individuals are high. They absorb finite resources and take the place of others who could possess relevant knowledge, skills and aptitudes, including mediation expertise. Yet, the United Nations lacks effective procedures for removing such staff from their roles. One former UN envoy described how they attended a meeting of deputy envoys or deputy special representatives:

> And I thought we were going to go talk [about] big issues, conflict resolution. And almost the entire day was spent talking about these personalities, human resource issues, and how do you get rid of the staff that, you know, have been in the mission for years, and we're talking to

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[399] M807. Several of the paragraphs in this section could equally have been included in section 10.2, above, on organisational problems, but were included here due to their direct relevance to the issue of mediation expertise.
[400] O989. S467, a practitioner, expresses the same view about UNSMIL: "Not only do we not have people who have worked on Libya for an extended amount of time; we also don't have people who've been involved in peace processes."
[401] U407
[402] K632
[403] O717. The quote in full: "The UN has such a wide range of interests, but UN careers actually militate against overspecialisation in any field, whether it's regional, whether it's thematic, people hop from one thing to the other. And ultimately, that does not make experts. And I do think that fundamentally, mediation requires some sort of expertise."
[404] O989
[405] S467

people in some of these African missions where, you know, people have been serving 20 years, and they can't get rid of them. I mean, that's not the case in [a certain country] because the mission's only been there since [a specified year]. But there were enough of them already in the mission that I knew like, 'Oh, wow. You know, is there some way to transfer them?' Essentially, the answer is no…. I felt like we had status quo actors in the mission, who were actually not invested in conflict resolution because it was job security. I'm sorry. But, I mean, you know, when I identified them, I said, I don't want them near the peace process.[406]

The existence of ineffective, uncommitted personnel in UN missions, and the wide range of tasks and responsibilities (discussed in section 10.2), can mean that a mission has barely any effective capacity to support and undertake mediation work, despite it being an institutional priority. A UN official reflects on this disturbing paradox with respect to the UN mission in Somalia:

In the political affairs and mediation group, I mean, so that's the thing, one shouldn't say, of course, but you know, half of the team was dead wood. And then of what's left of the other half, then, you know, three people need to do the daily reporting, and this and that and the other. And then you oversee this process and the liaison with the regional offices, and you follow [events] and you write the code cable, and then one guy does the electoral process stuff. So like, how much capacity did we have for mediation? I mean, next to zero. Which is why when [an envoy] comes in and looks around and says, 'I'm rather surprised to see that on what is clearly the key challenge to the country, Al-Shabaab, we have no expertise, no dedicated capacity, and no mediation support whatsoever.'[407]

The UN's Mediation Support Unit, which deploys "Senior Mediation Advisers" to UN missions, is widely seen as having helped to compensate for this lack of mediation expertise. It was noted that just 20 years ago, the MSU and the Policy and Mediation Division in the Department of Political and Peacebuilding Affairs (DPPA) didn't even exist.[408] But one former UN envoy argued the institutional strength of DPPA was minimal compared to the Department of Peace Operations (DPO) thereby undercutting the institutional weight of mediation:

If you look at DPPA as the place where this, where the bench strength [in mediation] ought to be, it's, in my view, seriously under-resourced and under-resourced in relation to DPKO [now DPO]. And that's still the case, following the merger, the way the resources have fed into that. But also it's tended to be a cautious department, you know, talking points for the Secretary-General rather than mediation initiatives. And I think that's got worse.[409]

The MSU is critiqued on several grounds. Some say it is not always taken seriously, perhaps on account of the time-limited nature of its deployments.[410] Others, such as this scholar-practitioner, say that UN Standby Team members are often deployed too late: "The Mediation Support Unit, basically, is doing crisis management, crisis intervention, most of the time, which is a chronic problem with the UN."[411] This leads to questions about the model of a centralised team dispatched for short-term assignments. As the practitioner with Libya experience reflects, at different points MSU experts were deployed to UNSMIL but were seen as having a limited impact:

[T]hey weren't able to get up to speed quickly enough on the living context, to really be able to have a voice in what was going on. On the process, by the time they understood what was going wrong or right in the organising of the Libyan political dialogue, it was already being done and

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[406] M912
[407] P491
[408] R845. The UN's Mediation Support Unit was established in 2006.
[409] U407
[410] D537
[411] S590

already being put into practice. But so then why can't we have these people from the MSU or mediation officers being embedded with missions for a longer period of time, or is it just an ad hoc thing that they're flown in at the last moment? Why is it such a small unit? … [F]rom what I have seen, mediation is most of what the UN does, whether it realises it or not, most of what it's doing is related to mediation processes, so shouldn't there be a permanent focus?…. I think the MSU thing is a bit of a problem in that parachuting them in at the last moment onto these processes, it doesn't seem to be working from what I can see. And I think it should be more of a permanent setup. So you have them seconded, based or embedded in different missions for two to three years – if you're not going to do the mediation officer model.[412]

A scholar-practitioner makes a similar point about MSU work on Libya:

I mean, you've got this wonderful expertise and depth. So I think that should be acknowledged. Is deploying them in the kind of short-fuse, rapid, no follow-through at all kind of way useful?…. I mean, one of the mediators [has] just been sent to Tunisia for six weeks, which seems like an eternity for MSU… Actually, I think she's working on Libya from Tunisia. How much is that six weeks going to tilt the scales on the Libyan peace process?[413]

A UN official regrets this situation but outlines some of the structural factors that help to explain it: possible lack of a mandate from the UN Security Council, lack of funds from the UN General Assembly, resistance from the host government that doesn't want "you interfering and leading the political process", and the institutional interests of the various agencies, funds, programs and departments of the United Nations.[414]

One scholar-practitioner expresses concern about the way the Mediation Support Unit is configured: "The worry I have is that they're all specialists. You know, there's the gender person, and then the rule of law person, and the constitution person – but who gets… to try to see the whole picture?"[415]

Separately, mediation teams are sometimes seen as lacking expertise in the closely related fields of diplomacy, peacebuilding, reconciliation and transitional justice. Specialists from those fields are often not included in high-level mediation teams or [are] marginalised within them. Yet, as noted elsewhere in this study, these fields are "related and overlap in complicated ways".[416] Mediation teams should be composed and operate accordingly.

Mediation teams are also seen as lacking knowledge and skills from other relevant fields and disciplines, such as psychology, governance and political economy. Some argue for teams to include individuals with knowledge and insights into psychology and the behavioural sciences, and then to convene regularly to

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[412] O989

[413] K632

[414] P491. In full: "We then tap into MSU and deploy somebody for two weeks, right? But actually, when you think about it, that should be the bread and butter of it. Why don't we do more? And have broader expertise? I mean, there is an answer to that to some extent. One is that well, the Security Council, in all likelihood, wouldn't give us the mandates and capacities. Or the Council might give us the mandate, but then the General Assembly doesn't give us the capacities in terms of budgets, right? Because every single cost is approved. And there was always an underlying tension there between: We want development and support to the host country and the host government [prefers that] rather than you interfering and leading the political process. Another part of it is just institutional structure and interests. So the UN is after all, three-quarters agencies, funds, and programs… And then you, even on the more political side, on the peace and security side, you still have those diverging institutional interests, you have the rule of law components, and you have the human rights components… and blah, blah, blah. And again, there remains then relatively little space, capacity, and budget to really beef up the mediation side of it."

[415] H939

[416] S590 – a scholar.

pool information and develop collective insights.[417] The case was made to build expertise in governance.[418] As one practitioner with political experience says: "My analysis is that people don't understand the factors that are related to decision making and implementation – how they go together…. A lot of people treat agreements as if they're just somehow going to be self-executing."[419] Mediation teams often lack competency and skill in understanding and mapping the economic dimensions of conflict. Some point to the lack of political economy analysis, including on the role of licit and illicit economic activities and the role of energy and natural resources, which could help to shape and inform mediation efforts.[420] And, as one expert says, "Without dedicated economic expertise on mediation teams you're really missing a big aspect of what's actually happening."[421] According to one analyst, in some conflicts the "role of transnational crime in undermining peace prospects is something that is totally ignored by mediators…. [T]he lack of analysis of this stuff is just shocking…. There may be some skills that are chronically missing in mediation teams. I think political economy analysis is one of them. Nobody in the UN can do a basic mapping of power structures using political economy."[422]

Consistent with this line of thinking, one expert argues that there has been an overemphasis on mediation process, as compared to subject-matter expertise. He argues for greater use of subject-matter experts, such as those who specialise in the ownership and use of land and other resources, who are also familiar with mediation principles and approaches:

> In the field, there's been a lot of eschewing of the substantive stuff and a huge focus on process. All the time it's process…. We also need to bring in and train what I would call issue experts, subject-matter experts… [T]hey now include process design in almost everything. Well, I agree with that. A lot is about process. But it's not process only. It's process plus whatever it is that they're really arguing over. And the problem is we tend to bring in these subject-matter experts who don't know actually anything about international conflict resolution… so there's like ships passing in the dark.[423]

Of course, the involvement of experts from different fields and in different subjects will vary according to the course of any given process. As one mediator puts it, "[Y]ou need different people at different times to have knowledge according to what you're doing."[424] There is broad agreement about the need for continuous mediation expertise – and yet its limitations should not be overlooked. Some professionals argue that "technical" aspects of the field, such as related to process design or process management, have been overstated in relation to the human dimensions of mediation, especially the politics.[425] By way of illustration, one practitioner cites the example of European mediation efforts between Russia and Ukraine after 2014. European leaders were saying, "[T]here are so many technical details that need to be sorted out." On the contrary, says the practitioner, the real challenges "are never going to be technical; they're always going to be political. The technical side of things is never going to function if you don't get the political blessing".[426] In this vein of thinking, some believe the MSU has

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[417] N291: "It's including those relational, psychological [and] behavioural insight type skills in the teams… and pooling knowledge and in a carefully facilitated reflection." A practitioner, M105, appears to share this thinking.
[418] Many in the field of mediation have little or no experience of government. This can impede their ability to make judgements about viable future governance arrangements, which are of particular relevance to processes of some maturity.
[419] P840
[420] M912
[421] Expert colloquium, 28 October 2021.
[422] K632
[423] R845
[424] Expert colloquium, 28 October 2021.
[425] E.g. B118 and F263. Also: T547: "From what I see, I think the political people need to better understand some of these technical aspects of peace process design, but the technical people also have to understand that there is a political process."
[426] F705

perpetuated a false notion of the "standardised approach to conflict resolution, you know, thinking that what works there can work here", according to one regional specialist.[427]

Some practitioners go further than this and argue that there is insufficient recognition of the normative and cultural dimensions of the predominant approach to mediation and negotiation, which is based on Western models. "We enter a room with our own set of values and norms," says a practitioner, "those assumptions that we're not even aware that we are making and those cultural norms that we abide by, thinking that well, that's totally neutral. There's no culture associated to it."[428] A corollary of this is that there is insufficient appreciation of approaches to mediation in non-Western cultures. As one scholar-practitioner observes, "For negotiation, 90 per cent of the science out there and the writings out there are Western approaches… The studies are done 90 per cent of the time, using not real-world situations, but laboratory studies and using students in simulations that are designed to create an outcome."[429] And yet, the interviewee continues,

> In Africa, and I think it applies to many other collective cultures, in collectivist cultures, forms of mediation have been there for generations. It is nothing new. But from a Western point of view, we say, 'Hey, look, we've invented this great process. And we'll show you how it works. And we train you according to this model.' And so we need to understand more, how does this process work in other cultures? And how can we even learn if we as Westerners then get involved in these peace processes, learn about those, or involve people from those cultures, as part of the team, maybe to lead the mediation, with us tagging along as advisors, as support, and maybe learning in the process. But I think, to come in there and say, 'Hey, we're going to tell you how to do it,' it sometimes misses the mark completely, because it is culturally insensitive, culturally inappropriate, very often – the formality of the process, the absence of relationship building, before you even start talking.[430]

Implications and propositions

Technical aspects of mediation should not be overstated but mediation teams should include individuals with demonstrable mediation expertise and experience, preferably on a long-term basis in relevant locations. Recruitment policies, requirements in terms of skills and abilities, and terms of reference should be adapted accordingly.[431] UN political affairs officers should undergo mediation training.[432] Procedures should be established to enable the dismissal or reassignment of UN personnel who do not meet relevant competency criteria and other professional requirements.

Consideration should be given as to ways of enhancing the impact of the UN's Mediation Support Unit, potentially through longer-term assignments. Mediation teams should include or work more closely with experts in diplomacy, peacebuilding, reconciliation and transitional justice. They should make far greater use of expertise from related fields and disciplines, such as psychology, governance and political economy. More subject-matter experts should be trained in mediation practices and processes; mediation teams should also have the resources and readiness to engage them as and when required.

Separately, mediation teams should be more aware of the cultural norms embedded in standard approaches to mediation. They should make greater efforts to understand and benefit from context-specific methods and approaches. As suggested above, and in section 10.1, they should look to expand

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[427] D537

[428] E527

[429] G574

[430] G574

[431] M807

[432] O989: "Within the UN, there could be a generic mediation training course. I mean, there probably is, but there could be a series of more developed mediation training courses that people, political officers, would have to undergo on the basis that they will probably be assigned to mediation contexts at some points in their careers."

levels of engagement and collaboration with national and local partners. A non-governmental practitioner from Africa argues for greater symbiosis between Western approaches to mediation and those found in other parts of the world:

> But when you go through an official mediation process, you have your process design, you have your structure, and within that structure, there is no space for traditional mechanisms; there's no space for the transferring of knowledge from a local perspective, up to national and then international. It's like we've agreed, somehow internationally that this is the methodology that we should be using. And I think that needs to be questioned – there could be other ways. It doesn't necessarily have to be this cookie-cutter approach to mediation. And I think, particularly for those who are mediating from the regions, they have a better understanding of the psychology of the people, also, than flying someone in… [H]ow we can improve, in terms of our approach and our thinking around mediation, is by recognising that one or the other, is not enough, right? The sort of Westerner coming in and imparting knowledge to, you know, the poor people who are destitute and ignorant and know nothing about how to make their own peace. And then on the other hand, you have the locals, the nationals who are part and parcel of that conflict and know the issues much more intricately and know the psychology of the people in terms of what might potentially work to bring about peace… It needs to be a combined effort. I don't think it should be either–or, this is my own personal opinion… [W]e need to be much more honest about what works and what doesn't, what is needed and what is not needed, and take time before we enter a mediation process to do the necessary analysis.[433]

Another practitioner endorses this dualistic approach, and espouses the concept of "two-eyed seeing":

> One of the indigenous communities in Canada coined it, and it's the idea of using both of your eyes – it's Western knowledge and indigenous knowledge coming together to give a new perspective on things. And I just love that concept, because also, it places the two in equal partnership with one another, and this whole idea – it's essentially your depth perception. And I feel like that's very much what we do as mediators is that it's this depth-perception failing.[434]

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[433] M105
[434] C477

12. KNOWLEDGE

12.1 Lack of local knowledge

Practitioners widely acknowledge the importance of local knowledge – and some place a higher value on this than mediation expertise. "[P]rocess can be learned," says an expert with regional expertise, "process can be acquired… [Y]ou can get advice, but that kind of intimate knowledge of the dynamics of the region… is incomparable. And that's what I look for in my team. If you don't [meet] this criteria [sic], I'm not interested."[435]

Yet, as explored below, mediation efforts are not always informed by sufficient knowledge of the conflict, local and international context, or by an understanding of local culture. Conflict analysis, says one practitioner, is "professed everywhere, that you have to have a proper understanding of what's happening, a deep understanding of what drives the parties to the conflict, and it's still… not done properly, or [done] in a very haphazard way".[436] According to another practitioner, "You would be surprised at how many people don't have the right analysis, you know, they don't have that granular information that is needed for a mediation process."[437]

Several UN envoys say there are quite a number of situations where the United Nations is not adequately drawing on a deep knowledge of the country or region concerned. Consider this supposition by one UN envoy: "I think if you look systematically at how far the best country expertise or regional expertise is actually being drawn upon, in mediation contexts, you'd come to some pretty gloomy conclusions."[438] Indeed, the track record of UN missions in terms of local knowledge is variable. One practitioner, who has worked in Libya, says UN personnel were unaware of pivotal events in Libya's recent history, without which it would be difficult to understand contemporary developments.[439] The practitioner recalls how UN staff sought to organise an inclusive meeting but were hampered by their limited knowledge of Libya's tribal structure. They thought they were convening "a spectrum of people, but they didn't realise that they were all coming from the same kind of tribe or the same family of tribes".[440] A UN Standby Team member recalls how the UN's Special Adviser on Cyprus "didn't understand or didn't take on board the incredible detail which was necessary, that you needed to be on top of to try and cut through some of the bullshit, frankly".[441]

Interviewees say that insufficient energy and resources are directed towards acquiring relevant knowledge in advance of a mediation effort. UN guidance on mediation speaks of the need for

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[435] D537. In this section, the terms "local" or "regional" often refer to knowledge that is context-specific, whatever the relevant geographic area concerned.

[436] J325

[437] M105

[438] U407. The quotation in full: "Then you could go to the team, as it were. And certainly, I don't think the UN puts enough weight on actual country knowledge. And there you sometimes have the opposite problem, that it's recycling people inside the system, rather than looking for the person who isn't looking for a UN career but cares passionately about East Timor and Nepal because they've invested a lot of time in that. And I think if you look systematically at how far the best country expertise or regional expertise is actually being drawn upon, in mediation contexts, you'd come to some pretty gloomy conclusions. And certainly, in my experience, I mean, nothing has been more important than having – it doesn't have to be a lot of people, but at least a few people who really… have the language, they have the cultural context. But I think you can look at quite a number of situations where there isn't really much of that being applied. And they don't have to become permanent members of the team. I mean, the team has to be able in some useful way to draw on them. So that's a problem."

[439] S467

[440] S467

[441] I223

preparedness, involving "comprehensive conflict analysis and stakeholder mapping".[442] But as one former UN mediation expert says:

> I'm going to actually invoke the [UN mediation] guidelines; they said 'preparedness'… [expletive]. We're not prepared. We hesitate to intervene, we intervene too late, and we're never prepared. And as conflicts become more complicated, preparedness becomes more important. Because it's not just enough to understand what's happening between the government and the rebel groups, you need to understand what's happening within rebel organisations in terms of infighting or whatever [and] within government as well. You need to understand how criminal economies and [various] other things factor in. And therefore, if you're not prepared, if you don't take the time to understand your file, and you go in, you definitely mess up. So, we're not prepared. The resources are ad hoc [for preparation], and that actually has an impact on preparedness. If you don't have money ahead of time to actually hire and pay people to prepare for something, which is going to happen six months down the road, it just doesn't work.[443]

In cases where the United Nations does have substantial institutional knowledge of a given conflict, this isn't always marshalled well, disaggregated and put to good use, especially for incoming envoys and mediation teams. As one expert says: "All of that information, you know, they have desk officers, and they have the UN's own insights into a particular place and a particular set of problems. But it was pretty limited in terms of the preparation that they were giving mediators going into new situations, about conditions on the ground, and what to do and what not to do."[444]

Specialists say that mediation efforts are not always informed by a serious effort to ascertain and understand the wide range of different perceptions and perspectives with regard to any given conflict.[445] They point to a lack of rigorous analysis of the parties' core interests and concerns.[446] One UN envoy says that even the causes of conflict and motivations of key actors are sometimes insufficiently well understood, especially so when outside actors are concerned.[447] The envoy also notes that the United Nations has often not fully mapped and understood the formal and informal structures and relationships of power within a society, with predictable consequences:

> Very often we have not fully understood what are the power relations within the country or in the region… I have seen situations where people have spent time and time again dealing with… ministers or government envoys, when in fact, those ministers or those envoys have no authority or even prime ministers that do not have the power because the power is elsewhere. So we have to understand very well the power structure and the power system in the context we are dealing with, including traditional means of power, traditional ways of exercising power [at all levels, including the local level]…. the informal sources of power and decision making.[448]

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[442] "UN Guidance for Effective Mediation" (New York, NY: United Nations, 2012), pp 6 and 7; available at: https://dppa.un.org/en/united-nations-guidance-effective-mediation.
[443] O717
[444] S590. Interviewee O876, a former member of the UN Standby Team, expresses similar views about the UN's proficiency in knowledge management.
[445] L644; N291.
[446] Colloquia discussions: Folke Bernadotte Academy in Stockholm in November 2021 and in New York in April 2022.
[447] C774. Full quotation: "So one of the things that I have already said, is that we have to know very, very well, what are the deep causes, the root causes of the conflict and take that very much into account. And very often, we don't do that properly; we don't have a proper analysis of what are the real reasons, the motivations that sustain the conflict… And we have to look, not just at [the] internal dimension, but also how the external players. And we do not take that into account, or we are too shy, too timid, or not brave enough to be able to say that is not just an internal matter, it's also fuelled from the outside."
[448] C774

Some interviewees express concern about the lack of psychological insight among mediation teams.[449] One mediator emphasised the importance of having a deep knowledge of interlocutors, including their personal history, personality and relationships:

> I realise how relevant it was for me to understand the psychology and the universe of these human beings.… When you are analysing the conflict, usually, I mean, you have to look at the structural factors and proximate factors. And then the mapping of actors includes just the institutions. So, oh no, no, no – I need faces, I need names, I need relatives, I need families, I need lines of relationship, I need to understand the universe of each one of the people that are members [of the teams] I will be talking with.[450]

This kind of information helps mediators to understand their interlocutors and to build and manage relationships with them. As one UN envoy says: "If we had more of a psychological team, supporting the envoy these days in the context of civil wars, and in the context of very complicated, not-easy-to-categorise conflicts… you will understand better their motivation, and try to address them."[451] This kind of highly detailed, nuanced knowledge might also enable mediators to identify and exploit entry points for dialogue. A UN Standby Team member reflects:

> Everybody recognises and accepts that a strong conflict analysis and context analysis is the foundation that you work from... [But] quite often people tick the box on that and don't really get into the details of what's actually happening between the conflicting parties. And sometimes that means getting down even into the details of the personal relationships between people and the relationships between family members, because there are entry points, and overlaps and dynamics that are invisible to outsiders, but that are well known by those on the inside.[452]

Sometimes mediators or mediation teams lack a deep appreciation of what might loosely be called "local culture" – values, beliefs, attitudes, practices, sensitivities, or conceptions of issues germane to mediation, such as justice and reconciliation. Clearly, misunderstanding, oversimplifying or mishandling conflict issues can be highly deleterious for key mediation tasks, not least analysis, relationship building and problem solving. Correspondingly, some interviewees view knowledge of and familiarity with local culture as essential: "[A]n understanding of the culture is very, very important. If you do not understand how these people function, what is important to them, what is not, you are trampling on toes, and the misunderstandings happen all the time," says a practitioner.[453] Yet, according to one scholar-practitioner, the United Nations and states often fail to recognise the importance of local culture: "We [expletive] on culture all the time because… we simply don't take it seriously."[454] As noted above in section 11.3, mediation teams are sometimes insufficiently unaware of local mediation practices. This is compounded by severe movement constraints on international officials in insecure environments. "[P]art of the problem also at the official level," explains one specialist, "is that you have more and more governments or embassies, diplomatic presences, that are not as enmeshed in the dynamics of the country where they are, as they used to be."[455]

As indicated above, several interviewees pointed to a lack of understanding of social, economic and environmental dynamics. As one expert says: "[S]ome of the characteristics of conflict have changed [over recent decades]. I think that there's a recognition that many of today's most serious wars are about social, political and economic exclusion, and marginalisation."[456] Hence, the interviewee continues, the

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[449] T547, O876 and M105.
[450] R141
[451] U316
[452] N291
[453] R545
[454] A827
[455] D537
[456] K632

field should look to "build mediation teams that are much more socioeconomically informed".[457] This analysis, as indicated above, should extend to a deeper understanding of licit and illicit economic actors and activities, and the role of extractive resources.[458] Several interviewees cite conflicts in the Central African Republic and the Democratic Republic of the Congo as being deeply intertwined with the exploitation and trade of mineral resources.[459] Mediation teams also need greater awareness of the current and future impact of environmental factors on conflict dynamics, especially desertification caused by climate change, intensified competition over scarce resources, food insecurity and large-scale population movements.[460]

Many specialists emphasise the need for mediators to have more detailed and accurate information and understanding in a range of relevant areas. However, some say that this is necessary but not sufficient for success. They warn that details can also become a distraction and must not come at the expense of strategic vision and mediation expertise. One former senior UN official cautions:

> I'm all for making sure that we have knowledge of the local context. But examining a problem with evermore greater granularity, you often lose the strategic vision of how you try to move forward. I really worry that some of these political missions are just far too big with political officers who spend far too much time on details that don't matter.… [I]s there a way for the UN not to try to replicate country expertise in every situation, but to have more of the mediation expertise on the scene?[461]

Implications and propositions

Mediators and mediation teams and organisations should ensure they have sufficient knowledge of the conflict and the wider context in order to make informed judgments and decisions. All relevant aspects should be studied and understood, such as the history of the dispute, including key turning points and recent developments, and key military, political, economic, social, cultural and humanitarian factors and dynamics. Conflict analysis must also seek to study the parties to conflict: not just structural, organisational and operational factors, but the identities, beliefs, thoughts, biases, emotions, perceptions, priorities, motivations and objectives that drive, sustain and explain any given conflict. It should also seek to generate detailed pictures of the personalities, perspectives, priorities and wider lives of key leaders.

It is recognised that such knowledge is often difficult to acquire, especially given the complexities, ambiguities, fluctuating dynamics, access limitations and propaganda of armed conflict, as well as limited resources. But informed decisions and effective interactions by mediators depend on such knowledge. Research and analytical efforts must therefore be thorough, systematic, sustained and draw on multidisciplinary expertise, including in the psychological and behavioural sciences. They should also draw on multiple perspectives, including as provided by local actors. Indeed, some interviewees argue mediation teams should cooperate more systematically with local individuals, organisations, and groups, in order to benefit from their knowledge and to take account of alternative perspectives and insights. As one practitioner says: "There's a lot of really exceptional grassroots knowledge and capacity that just gets passed by."[462] Beyond that, different segments of society should be consulted, says the practitioner:

> You listen to the people of that society. But you listen to the people, you don't just listen to the guys with the guns, for a start. You don't just listen to the people who speak the loudest. And you certainly don't just listen to the people who speak English. And so you find all of those other

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[457] K632
[458] M912
[459] O127; Z382; K632.
[460] D438
[461] Z750
[462] C477

spaces, and you develop a broader picture of what the context is, before you engage…. And I believe really strongly that we have to have a deeply rooted contextual analysis of the places that we work in.[463]

Such efforts may generate a complex, ambiguous picture of events, that defy any attempts to reach a singular, objective interpretation. As one Standby Team member expands:

> [There are] two things that could be done differently... Obviously, the conflict analysis is still important, but I think it should be far more nuanced, and I think should be far more cognisant of the need to involve local perspectives and have a more nuanced understanding of what's going on. And so that could also mean teaming up with local capacities, local insider mediators, interested parties who have an analytical perspective that would be worth bringing into the process. We tend to think of analysis as being about arriving at a factual understanding of what's going on. But that to me, is short-sighted. I think analysis is as much about multiple perspectives and recognising that multiple perspectives can all have some validity at the same time, even if they're contradictory, because they are the perspectives of the people in the context and you can't be the one who arbitrates and decides which perspective is more valid than another, because then you've lost your impartiality, and you've also lost your ability, as a mediator, to hold multiple perspectives simultaneously, which seems to be a critical skill in effective mediators that I've had the chance to see and to work with.[464]

Donors, for their part, should ensure sufficient funds are made available for the research, analytical and collaborative efforts described above. But finally, a caveat: mediation teams should not mistake knowledge for strategy or decision making. Indeed, their effectiveness requires both local knowledge and mediation expertise.

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[463] C477
[464] N291

13.   METHOD

13.1   Prioritisation of agreements over relationships

Many mediation professionals say that the field has overemphasised the signing of peace agreements between conflict parties, seen as defining and effecting the resolution of armed conflict, at the expense of a focus on strengthening relationships through processes of dialogue and trust building.[465] The central concern, as explored below, is that any agreement to end hostilities is likely to fail if the relationship between the parties hasn't fundamentally changed. As noted above, such a concern would appear to be well-founded: some studies suggest that up to half of all peace agreements fail within five years.[466]

The salience of peace agreements in policymaking is understandable. Typically, agreements mark an inflection point at which conflict parties publicly undertake not to use violence to advance their political goals, and set out the terms of those undertakings, as mutually agreed. Agreements are often seen to represent a transition from war to peace, and to bring about a long-term end to the cost and suffering imposed by hostilities. There are also other factors that explain the drive for peace agreements. As noted in section 9.2 above, they are pursued by states for reasons of political expediency – to make a difficult problem "go away". Agreements are also seen as having a unique demonstrative and explanatory power. According to one practitioner, "I would say at [a leading mediation organisation], we got obsessed by agreements sometimes. And you know, from a systemic perspective, part of the reason we got really obsessive about them was it was one way to explain to a donor that we've been doing something."[467]

Notwithstanding these factors, as discussed below in section 14.2, most peace agreements that relate to intrastate conflicts require the parties to work together in their implementation, such as in new arrangements relating to governance, justice, security or delivery of services, which can be immensely challenging. They are often strenuously opposed and undermined by a range of actors, typically from leaders or groups within the parties themselves.[468] Thus, for any agreement to endure, the parties must have achieved a genuine shift in their relationship and reached a shared understanding about how they will manage their differences. There is widespread concern that the heavy emphasis on securing a peace agreement may achieve neither. As one scholar-practitioner puts it:

> This obsession with moving fast to sign the agreement also leads to an undue emphasis on the content of the agreement, on the text, as opposed to the relationship between the parties. Now, obviously, content is important [but] without addressing the relationship between the parties, you could have a perfect text and no agreement – no, genuine agreement. So that takes one then to the challenge of forging reconciliation between the parties' leaders, not after they signed the [expletive] agreement, but before they sign the agreement.[469]

Therefore, effective mediation processes build relationships, but this isn't always translated into practice. As one former UN Standby Team member says: "[P]eace begins within conflict, not after it – and I don't know that mediation has caught up with that."[470] In the words of another Standby Team member: "[I]t comes down to a kind of process versus outcome emphasis, and the emphasis is always on the outcome

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[465] This dyadic approach reflects the way in which the issues were articulated by a significant number of interviewees.

[466] "Armed Conflict Dataset Version 4", Uppsala Conflict Data Program (Oslo: Peace Research Institute Oslo, 2009).

[467] C477

[468] As discussed in sections 13.5 and 14.2 of this study.

[469] A827

[470] B118

rather than on the process."[471] This, according to a former UN envoy, means that the relationship between the parties is neglected, thus imperilling the agreement:

> You have to work on the relationship between them until they are in the same room, and then they start working out compromises together. If you don't try that, how on earth do you expect this to work? They will be enemies in government. And that's what's happening all over the world. They've never worked on the relationships between them, and if I may say so, this is a male approach to mediation. Sorry for that. But you're not seeing the relationships and the dynamics between people as the key to progress…. How can you expect anyone that has been fighting, when they have been signing something, yet not worked on their collaboration – they haven't been sitting in the same room – how can they expect anything to work?[472]

In fact, the emphasis on the signing of agreements can lead to the obverse of relationship building: processes in which the principal instrument of change is the application of pressure on the parties.[473] According to the former UN envoy: "I've seen it too often, that's basically the trend now, is that you don't have the relationships and you don't even try to develop those relationships… [A]t least in those African theatres, you just fly in and you know, throw hammers at people."[474] According to the interviewee,

> [This is] dragging the country through an endless and dysfunctional peace process that nobody is implementing, and … not even a single person is [committed to]. These things drive me crazy, because people suffer, right? I mean there are billions of people that now suffer from these dysfunctional peace processes that are forced upon parties who can't work together… [T]here are a lot of other things you can say, but this is my main point: unless you work on the relationship between parties, you're never going to succeed.[475]

The single-minded pursuit of a written agreement can distort political processes with farcical consequences. One UN Standby Team member recalls the process in Mali:

> [T]he parties were never in the same room, except at the beginning when they announced the launch of the process. They couldn't even sign at the same time. They signed about three months apart. Because at one point, the mediator said, 'Okay, this is it, we can't make any more changes.' The government and pro-government groups were willing to sign; the main opposition rebels were not. And so we had the signature with the two groups that were on the same side. And the group that was against them was not there at the signature of the peace agreement. I mean, that to me, was delirium. Right? It was like being in an alternate reality. And everyone went with the charade. And then they proceeded to convince the other party that it was beneficial to them to join in because otherwise they would be considered as spoilers. And then we wonder why Mali went the way that it did.[476]

The impetus to arrive at an agreement can also distort the substance of dialogue, causing mediators or facilitators to use approaches which revolve around the distribution of power or resources rather than cooperation to address underlying issues of contention, as mentioned above in section 9.1. It can lead to an overemphasis on power sharing rather than measures to address the deeper problems that help to

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[471] N291. The quotation continues: "Those sub-objectives, if you like, of the mediation process, get lost, if you don't come into it with the systems lens. You end up just focusing on the end goal rather than the other things that can be achieved along the way. So those are lost opportunities as a result of not approaching things correctly, right from the very beginning."
[472] C261
[473] Also referenced in section 10.1.
[474] C261
[475] C261
[476] O717

explain the emergence of armed conflict in the first place – which jeopardises the durability of agreements forged on that basis. Many processes strive for an "elite bargain", says one analyst: "It's essentially taking your major, your major potential spoilers and involving them in the power-sharing deal, but not seriously dealing with the socioeconomic drivers."[477] According to a member of the UN Standby Team,

> The predominant underlining assumption is about power sharing… [This is] what I saw in Afghanistan, Yemen, Central African Republic…. The nature of the conflicts has shifted in ways that suggest that because the intensity has a deep narrative that is historical, but also within the context of deeper issues of group affiliations – and by group affiliations, fidelity to certain values…. So the mediation cannot just resolve issues on the basis of what is formed, in terms of who is in government, and who is not in government, and who owns which part of land or not, etc. It's about a mediation that should take into account how you repair the broken social fabric of society…. But the point is, if mediation does not allow the space for all that to come up, but rather, is preoccupied with who gets what, the end result is that this cannot be sustainable. So the outcome would only be temporary, and people feel good about themselves. And then they tried to walk away from the mediation, but nothing really happened – and that is why it's so difficult to ensure that the outcomes are implemented. They're so difficult to implement, because they have not addressed the deeper issues. And because they're only trying to deal with the surface issues, even as the ink is beginning to dry on the paper, the violence continues.[478]

Even if violence does not re-erupt after the signing of an elite pact, there is a significant risk, contends one practitioner, that it will stifle positive, organic change over time, at different levels of society:

> [B]ecause we have so prioritised the high-level mediation, you then say– but you calcify this agreement, that becomes such fact that all of those other processes in the future are subservient to whatever it is that you've agreed, you know, in Bonn, in Dayton, to the exclusion of new ideas. Why is Lebanon in the problems that it's in now? It's this ossification of an agreement that was never intended to be the agreement in perpetuity.[479]

Thus, a purported end to hostilities may depend on an agreement which the parties were pressured to sign, to which they are not fully committed, and which does not attempt to address the real issues at stake in any given conflict. In such circumstances, with little change in relations between the parties, the agreement has limited transformative potential, and is inherently tenuous. Lacking the strong, load-bearing relationships that are required to put the agreement into effect, it is at risk of collapse.

Implications and propositions

The above analysis does not suggest that peace agreements are not worth striving for. After all, except in the case of military victory, it is rare for warring parties to bring their armed struggle to an end in the absence of a peace agreement. As noted above, in the context of a well-managed process, an agreement can play a critical role in bringing about a sustainable end to hostilities. Importantly, an agreement can also signify and symbolise the beginning of a new phase in a society's history. One practitioner who worked on the Colombian peace process says:

> [T]here's a list of big agreements that have failed, because they didn't do the preparation correctly… I agree with that completely. But [one] cannot from that decide and say, 'Oh, okay, no, well, you actually don't need an agreement'…. [That is] is giving up on the symbolic importance of agreements and on the need to create certain moments…. But I actually think the

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[477] K632
[478] O127
[479] C477

idea of a transition is terribly important, because it has all kinds of consequences: you need to think, you need to do some unusual, special things that you otherwise wouldn't do. But you also need to get everyone into a state of mind: 'Ok, we're now going to work on this…' There's a forward movement, if you see what I mean… that cannot be underrated.[480]

Notwithstanding this, the critiques outlined above draw attention to a clear and compelling rationale for why relationship building should be given greater weight in mediation efforts: the implementation of any agreement depends on it. However, while agreeing with this assertion, some mediation specialists believe that argument actually understates the importance of relationship building. The theory of change at the heart of the mediation paradigm, they say, is that mediation processes help to strengthen relations between conflict parties such that they are able to manage their differences peacefully rather than through the use of violence.[481] As such, agreements should be seen as one element of a much deeper, wider, longer-term process.[482] As one UN Standby Team member says:

> I do think that there is an over tendency to equate efficacy [of mediation] with the signing of an agreement…. Both the relational elements within the process and the durability of the agreement should be as important as the signing of the agreement itself…. I think we're still caught up in thinking of the mediation processes as that moment when the mediator sits down at the table between the conflicting parties and tries to get them talking. And, and we know that the process begins long before that, and we know that it also continues long afterwards.[483]

Moreover, by this account, an agreement is not so much the definitive terms on which the parties solve their conflict and agree to forgo violence, as important reciprocal statements of intent at a moment in time: a contingent set of commitments about how the parties intend to behave in relation to each other.[484] It is at once a product of relationship building and a programme for the future. As one scholar-practitioner puts it, we should think of "a peace agreement, less as the resolution of a conflict, than an understanding of a set of changes that people would be willing to try and put into motion". That raises the question of what kind of shift in relations is required. The scholar-practitioner argues mediators should be looking to help bring about a shift from zero-sum thinking towards a greater sense of interdependency:

> If you take a systemic view of those changes, they create a whole set of interdependencies…. [An agreement] requires people in certain kinds of ongoing relationships that have shifted enough that they can move towards collaboration and cooperation, as opposed to toxic, you know, 'win all, lose all', so it's definitely that quality of relationship is not just for the feel-good fuzziness of good relationships; it's the core ingredient for the ongoing requirements of shifting into politics without violence, shifting into a deeper sense of interdependence, ultimately. You know, the toxicity that we're dealing with in our divisions, right now, in many of our countries, that people simply believe that if they [the adversaries] win, we're going to lose it all. Therefore, we have to beat them before they beat us.[485]

The problem, according to the interviewee, is that mediation efforts often adopt "a very narrowed, representational model: typically, it's about very short-term timeframes, under crisis situations, that often are being done with great disregard to wider prevention and the patterns that have happened across

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[480] S442

[481] As one scholar-practitioner (J325) puts it: "We focus on establishing, cementing, strengthening relationships, because of the aftermath when it comes to peace, those are the building blocks upon which they will then try to move ahead."

[482] According to one UN envoy (J403), peacemaking "is not an event; it's something that should be done, you know, by nations every day. It's not about elections; it's not about a peace agreement; all of this is nonsensical."

[483] N291

[484] Assuming that the agreement has been entered into voluntarily and in good faith – which is not always the case.

[485] B905

decades".[486] Instead, "[W]hat we're trying to change often is about deep histories of not only animosity, but very fraught and trauma-laden harmed relationships."[487] One non-governmental practitioner argues that this requires an approach to mediation which is far broader, and more holistic than securing an agreement between powerholders. To guard against the tyranny of elites that could undermine peace, mediators should seek, where possible, to support the establishment of processes that strengthen relationships between groups throughout society. They should support peacebuilding and reconciliation work to restore the social and psychological health of society as a whole:

> A lot of times, we are only touching upon issues of justice and reconciliation, we're not really going into what it means for nations and for peoples to heal, you know, and therefore, to avoid a return to conflict, right? So if you're not healing, if you're not actually dealing with the past, it will resurface. It will – and we've seen it particularly in the Horn of Africa. I mean, what about questions of identity, particularly in the Horn of Africa, when it comes to religion, gender, ethnicity, and how all of those things also happen to go beyond the confines of a border, beyond the definitions of structures that make up governance. We're talking about human beings, and we forget that. We really forget that. It's [typically] about reaching an agreement. It's about getting a signature. Nobody cares whether that agreement was implemented or not. Nobody cares whether you know, the parties to the conflict were sincere in finding a solution. And it really just becomes, 'Okay, we managed to get an agreement.'…. How do you ensure that there is a sense of leadership from those that are sitting around the table, that they have a sense of responsibility to guide their nations and their peoples in a direction that is accommodating, that is holistic, that is healthy so to speak, mentally, emotionally, because at the end of the day, you know, conflict, war, it tears at the very fabric of society…. [We need to] dig more deeply into the psychology behind conflict, and war and healing and reconciliation. Because I do think it's important. And I think it does need to be part and parcel of a coordinated effort when it comes to mediation…. We have to coordinate with those in the health sector, those dealing with the healing and psychology and youth and employment and the economy. We need to be much more holistic, rather than just thinking, you know, 'We need a [constitution] process, let's get something drafted.' It's always about drafting something.[488]

It is axiomatic that such an approach demands long-term engagement. As one mediator says: "Any idea that there are some quick tricks or techniques or stratagems or mechanisms or whatever, that can resolve serious conflict; [those advocating this] don't really know what they're talking about. Unless the relationships are resolved, you're not going to resolve the problem."[489] Agreements should therefore be judged "by the quality of the implementation over a decade".[490] And yet, as discussed above, the real measure of a process is not the implementation of everything that has been agreed in writing, but in the parties' ability to settle their differences peacefully. In that sense, according to the scholar-practitioner, it is a mistake to think that the "quality of an agreement is only equal to the quality of its implementation".[491] In fact,

> [T]he notion that resolution is found in the actual delivery of the agreement, is an error. It's a paradigmatic error, because it does not understand that this is about the process by which things shift, they change, they transform, and to accompany those changes requires an equal commitment to the decade-long or decades-long forms by which that change happens, because

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[486] B905. The full quote is footnoted in section 9.2, above.

[487] B905

[488] M105

[489] F701

[490] B905. "So this is precisely why the quality of an agreement should not be measured by the quality of the moment that they sign, but by the quality of the implementation over a decade, to actually see if it shifts in the direction of the very things that they say that they're willing to do. And what we know from those longer studies is that there has been enormous fragility to most of that great labyrinth of detail that we put on paper."

[491] B905

precisely 90 per cent of the armed conflicts around the world have taken multiple decades, if not half centuries and full centuries, to get to the place that they're at now.[492]

This analysis has profound implications for mediation strategy making. Whilst striving towards peace agreements, mediators and their partners must look and think beyond them. They should be cautious of what one expert describes as the "glorified importance that we give to peace agreements…. [They] may be one step, but they are one step on a longer path and are not the end in and of itself."[493] The route to sustainable peace, in the words of the scholar-practitioner, is "tied to the quality of relationships, not to the quality of the written contract".[494]

13.2 Lack of ownership

It is widely agreed among specialists that to be successful, peace processes usually require the conflict parties to feel a strong sense of ownership. As discussed above, virtually all peace processes are immensely challenging.[495] Peace agreements typically place huge demands on former adversaries, who are required to cooperate and collaborate, and also face resistance from a range of quarters. For a process to succeed, and any agreement it produces to endure, the parties must be fully committed to it.[496]

One of the best means of generating such commitment is through ensuring that the parties are invested in the process and have the power to shape its substance and development.[497] It must be theirs. "Without that foundation," says one negotiator and mediator, "there is no chance."[498] Yet mediation specialists say that in many processes, conflict parties lack a strong sense of ownership, which is attributed to factors mentioned elsewhere in this study and are revisited here. The first set of factors relate to the overarching mediation paradigm, the second relates to technique, and the third to substance.

It should be recognised that levels of ownership are likely to vary according to the conflict concerned, the nature of the parties, their circumstances, and different points or phases of a process.[499] Notwithstanding this, the envoy system of the United Nations is generally not seen as conducive to promoting a sense of ownership. Indeed, the system has neo-colonial overtones, says a former senior UN official: "the heroic, noble Westerner going out to enlighten the natives".[500] A former member of the UN Standby Team says, "[O]ur paradigm still is heavily state-centric, and top down, and tends to be this, I would say, Anglo-Saxon idea that these can be fixed, you know, we will go in and fix the natives who are out of control in the South."[501]

The colonial analogy has its limits. It is true that the United Nations is heavily shaped by values, norms and practices associated with the West, and it may overlook important alternative or traditional systems of governance and conflict management.[502] But it does not seek to exploit countries for its own advantage. Rather, it endeavours to assist, support and protect citizens in conflict-affected countries.

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[492] B905
[493] I603
[494] B905
[495] See section 5.1.
[496] The point was articulated by a scholar-practitioner in the expert colloquium of 14 October 2021.
[497] A721. This point was also forcefully made by a participant in the expert colloquium of 28 October 2021, referenced below in section 13.4.
[498] H578
[499] In the early stages of a process, there may be little over which the parties can feel a sense of ownership; in more advanced stages they may need to share ownership with a range of other actors.
[500] Z750
[501] R845
[502] R845

Still, the approach centred around a high-powered mediator is widely critiqued for overstating the problem-solving capability of the mediator. As a current member of the UN Standby Team says: "[M]ediation is not the panacea that solves the problems of the context. And I think the idea of an external person parachuting in and solving the problems, that's part of the paradigm, and it's part of the problem."[503] A fundamental misconception is that the mediator develops "the solution" for the parties rather than helping the parties, with others, to develop their own solutions. Mediators don't resolve conflicts; they help others to resolve and manage them.[504]

For this reason, one practitioner questions the use of the term "mediation", as opposed to facilitation, as it detracts from the role of the parties in tackling their own problems. The practitioner shares their reaction to a paper produced by a mediation organisation on process design:

> [W]hat I found extraordinary was that the whole thing was presented as what the mediator needs to think about, as if the whole thing was a problem for the mediator. And I thought this is just so completely mistaken. This is not the real world for me, because you're giving too much weight, too much importance to the mediator. And I do think there's a fair amount of vanity of the international community thinking that they could come in, and they mediate solutions… The more people take responsibility and think it's their own thing, the more effective it is going to be…. [The] main reason we had success [in Colombia] is because it was the Colombians who were doing the work.[505]

Consistent with this line of thinking, practitioners urge caution against the assumption that outsiders can deliver solutions: "[T]ransforming societies… from the outside, that's impossible," warns a former UN envoy.[506] Citing the Middle East, one practitioner says:

> [E]ventually we have to develop the indigenous capacities and the structure for this region to solve its problems. And you have to [work at all levels]…. This is a generational project, for this region to be able to heal itself and solve its own problems and stop spinning new conflicts… We have monuments… of people who came and left, and for me, every time I see them, I'm reminded of that: outsiders that come and leave.[507]

The second set of issues raised by interviewees relates to the technique used by mediators, which may have a bearing on levels of ownership. It is widely recognised in mediation pedagogy that there is a spectrum of mediation assertiveness in terms of the influence the mediator has over a process. A mediator can take a facilitative role, broadly seeking to enable constructive dialogue; an advisory function, seeking to guide the parties through suggestions and recommendations; or a more directive role in trying to steer a course of dialogue, possibly towards certain outcomes.[508] In practice, a single mediator may adopt different approaches at different points of a process. These approaches, however, must be consistent with securing a sense of ownership over the process by the parties.

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[503] N291

[504] This distinction is reflected in the widely accepted definition of mediation: "Mediation is a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements." United Nations Guidance for Effective Mediation (New York, NY: United Nations, 2012), p 4.

[505] S442. Also: "The moment you introduce something, someone as a mediator, number one, he thinks he is much more important than he is, and number two, he by presenting the problem as one of mediation, he takes away responsibility, he takes the initiative." (S442.)

[506] C261. The interviewee goes on to underscore the enabling role that mediators can play, described later in this section. "Societal transformation goes over decades, and it can only happen as part of a societal process. And the question is: who triggers those elements that help prompt change in society, and how can those drivers of change be reinforced? Now, those [factors] are important".

[507] D537

[508] C531

As noted above, approaches used by some envoys are overbearing and rely on pressure placed on the conflict parties.[509] Yet, the criterion of ownership suggests that external pressure and the application of leverage may be of limited use. One practitioner with extensive Middle East experience emphasises this point: "You can't make bricks without straw. And the fact is, no matter how hard the mediator, you know, wants this, no matter how important it may be, the bricks cannot be manufactured, you know, in Washington… The stuff of why negotiation actually works, is local stuff. And there's no way to avoid that."[510] As the former UN envoy says, "You can't force people to cooperate. You can force them to sign, through power, incentives, sticks and carrots, which we also use; of course, we have to put pressure on them, but you can't do that without working on that relationship. It's never going to work."[511] A practitioner notes that techniques that may work in regular politics may not work in the domain of mediation:

> [W]hat many of these people might be experiencing in their home countries – as politicians, as people that employ sort of heavy-handed negotiations… [or] other methodologies that might work elsewhere – might not be working at the mediation table. The method that we employ is, I think, directly related also to the results we get, because if some of these results are not so much coming from the parties, but are coming from other sides, coercing the parties into some of these decisions, then who's the creator of the solution, and who's going to push that solution forward? And it's probably not going to be the parties.[512]

There is a twofold implication here: a sense of ownership cannot be compelled; it must be endogenous, and agreements secured through international pressure are dependent on that pressure being sustained. Yet, international pressure and support is rarely sustained over time as regional and international powers refocus on defending or advancing their interests and turn their attention to new and emerging crises.

The third set of factors relates to the substance of mediators' work. Many professionals express concern about the number of envoys who come to a conflict with a preconceived idea of what the "solution" is and devote more time to trying to get the parties to buy into that, than to supporting them to reach their own solutions.[513] As another former UN envoy says:

> I've very often seen people come to the mediation table – I'm talking about the envoys – with what they think is the solution in their own pockets. The role of the mediator is to find common ground between the two sides. And try to explore what each one of the sides is trying to say and how each side would like the conflict to be sorted out, to be resolved, without having a pre-cooked idea of the answer. Very often… 'we' [referring to the mediator] have been elsewhere, and we tried to compare this with what we have seen elsewhere, because we have spent quite a number of years in politics, and our own experience in politics, or because we come from the academic world… and we come with a model that we try to apply, with a solution that we try to sell to both sides. So very often what I have seen is that people come with pre-established ideas, and more than that, they really spend more time trying to promote that, than listening to the parties…. [Y]ou are just there to try to guide the discussion in the direction of a solution, but the solution has to be their solution. It cannot be a solution that comes from forces outside the

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[509] C261

[510] H578

[511] C261

[512] E527

[513] This concern can also relate to measures to mitigate a conflict or create the conditions for negotiations. For an illustration from the diplomatic arena, consider US Secretary of State Antony Blinken's remarks in relation to US efforts to achieve a ceasefire in the Israel–Hamas war: "Well, at the moment, we don't feel like we are in a position, if we put something down today, to get both sides to say yes to it." David Sanger, *The New York Times*, "Biden Works Against the Clock as Violence Escalates in the Middle East", 23 September 2024.

country… [It must be] something that has grown within the country. And of course, with the support of the international community, working with the support of the neighbourhood, but it has to come from inside. If not, it doesn't work at all.[514]

One UN Standby Team member echoes the view that this approach is self-defeating because, as discussed above, in section 13.1, a more important determinant of success is the relationship between the parties and their ability to resolve problems through constructive engagement:

> [S]omething I've seen in a number of processes is rather than get parties to come up with a solution that is acceptable to both of them, or all of them through dialogue, mediators often tend to come with a solution already half-baked, that they try and sell. The problem is that even if that solution is the best compromise one could imagine, bringing it to the parties actually defeats the purpose of teaching them to talk to one another, and to actually settle their differences peacefully through interaction.[515]

One scholar-practitioner echoes that opinion:

> I think mediators are getting it wrong when they see this as a puzzle to be solved, as a solution lying in wait, as a problem that requires their brilliant creativity and imagination to see the solution that somehow evaded the parties. That is just hubris, ignorant and stupid – instead of saying, 'Can we forge a different relationship between the leaders and the negotiators, because if we can, they'll find their own solution? How do we do that?' If we fail to do that, we can't have a sustainable agreement, however perfect the text.[516]

Implications and propositions

As these observations suggest, there appears to be widespread agreement that at least at Track 1 level, greater emphasis should be placed not on finding solutions but enabling the parties themselves to find solutions. As one scholar puts it:

> [T]he mediation needs to be managed in such a way that it's the parties themselves that generate the solution…. [It's] about shifting the agency away from us to the parties to the conflict, and our agency is the process of facilitation… [A] self-sustainable solution lies with the parties, and we need to unlock that or facilitate the process for that to emerge.[517]

This might require a different attitude towards local or national groups and individuals, as suggested by the more diffuse, multi-level approach outlined in section 10.1. It is they, rather than external actors, that should be centre stage, says an expert: "I want us to shift our model where the locals are leaders and not as resources and assets to a Western intervener."[518] As one former senior UN official says: "[Y]ou [should] have the mediation infrastructure provided from the outside, but the policy decisions and direction are being determined by the locals."[519]

Experts emphasise that what is required is not just buy-in but ownership, which entails a sense of responsibility to protect the process, steer it in the right direction, and explore what is possible. As one mediator says, "I think it's important that we, as advisors or mediators, try to encourage participants… from the earliest phases of the process to take responsibility and to take ownership; not only responsibility and ownership of the [process and the] content that they have to address, but especially

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[514] C774
[515] O717
[516] A827
[517] Z346
[518] D537
[519] Z750

also the outcome and the consequences."[520] Expanding on this, a former ambassador and former UN envoy described their state's policy in the following terms:

> We always strived to call ourselves facilitators; we're not mediators; the parties need to take responsibility, be in the driver's seat, come up with solutions, etc. And that is always very welcome. The parties normally welcome that kind of approach. And there's really some truth to it as well, it's just ridiculous that someone from the outside, from a different culture, different countries, can come and understand all the complexities and be able to draft an agreement–. You have to give the parties ownership and more importantly, responsibility, to make the necessary steps and negotiate an end to the conflict…. But low-profile engagement, where the parties are in the driver's seat, I'm all for that. Because as you know, when the SG for example, is naming an SRSG, very often the parties, they sit back and wait for the SRSG to fly in and that's not really conducive to any movement on the part of the warring actors.[521]

It was noted above how a sense of ownership and agency helped the Colombian peace process to succeed. In some cases, third parties might be able to incentivise the parties to take on greater responsibility by ensuring they are credited for progress made (where such progress is publicly acknowledged). One practitioner notes this approach helped to sustain the FARC's commitment to the Colombia peace process: "Make them feel that, you know, they're actually responsible for the results. We achieved that with the FARC. They got more and more proud of what was coming out of the peace process."[522]

The era of internationalised civil conflicts has added a layer of complexity to this issue. As noted above, full decision-making power may not lie with the national parties and at least partly in distant capitals.[523] Thus, attempts to ensure processes are nationally owned can get "stuck in global and regional politics".[524] They may require careful navigation: mediators may need to bring external actors on board or secure their non-objection, whilst not being seen as beholden to external interests.[525]

It is not only the parties who must feel a sense of ownership over the peace process and its outcome. To achieve a sustainable impact over time, especially in intrastate conflicts, there must be a sense of ownership among the population as a whole.[526] Mediators must plan, act, and advise the parties accordingly during the course of the process.

It should also be recognised that ownership comes with trade-offs. The substance and shape of a process that is nationally owned may not be consistent with what is typically considered best practice. Its outcomes may not fully reflect the values associated with liberal peacemaking. But the alternative may be a process that is more likely to fail.

One former UN envoy for Libya describes how "there was so much of a focus on this [conflict] being an international story, on the Libyans being purely a sideshow to what was, 'Oh, a regional war being

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[520] Expert colloquium, 28 October 2021, and T302.

[521] A721

[522] S442

[523] See section 6.2, above.

[524] C261

[525] A related point was made by U407. "And that's another kind of challenge because how does the mediator balance the engagement with the parties and the kind of orchestration of the external actors. And that's difficult because sometimes the external actors are absolutely crucial. On the other hand, I sometimes think that there are high-level mediators who enjoy going around the diplomatic circuit with their diplomatic peers in capitals more than they spend their time building up the relationship with the parties. Those are both things that have to be done. But how do you get the right balance? And also, you're in danger of losing your perceived impartiality with the parties, if your external diplomacy looks as if you're being driven too much by the external interests."

[526] X753

played out on Libyan soil.'" To counter this, the envoy therefore anchored mediation efforts in Libyans themselves, which meant that the nature and outcome of the process were hard to anticipate: "It could be quite an unattractive baby, but they will have ownership over it."[527] Many believe such processes, having the buy-in of the parties, and in society at large, are more workable, more robust, and more enduring.

The role of a mediator, according to one senior UN official, is not to try to impose liberal values and practices, such as related to elections or human rights, but to inform, assist and advise the parties: "[Y]ou're not dictating the terms of the mediation, but find[ing] ways of getting the parties themselves to come with the proposals."[528]

13.3 Mishandling confidentiality

There are several reinforcing reasons why warring parties do not wish their involvement in a mediation process to be made public. They usually believe that engaging in talks will be perceived as a tacit acknowledgement that they cannot win or are even losing militarily, and therefore associated with weakness on the battlefield, especially when it is at odds with public messaging and propaganda which project strength and denounce compromise. They believe such perceived weakness can have disadvantageous consequences, in terms of the morale of their fighting forces, the support of their constituents and the emergence of differences within groups. Leaders believe it might also have direct consequences for their own positions. Even when participation in a process is publicly known, leaders are often unwilling to be seen to build trust and rapport with the enemy in public view. They also often see risks in the publicisation of the contents of talks, which runs the risk of generating reactions that could undermine the process altogether.[529] A case in point: the peace process in Mozambique involving the government and the armed group RENAMO was at one stage highly public. One mediation specialist recalls how the "foreign minister at the time, at one point in frustration he said, 'If you have cancer, and you go to the doctor, would you be willing to discuss all of that with the media, Twitter, with a big audience?'"[530] The process was in due course successfully advanced in a more confidential way.

Therefore, secrecy, confidentiality or disclosure as mutually agreed, is regarded by many mediation professionals an essential attribute of a dialogue process, at least in its early stages. As a UN envoy puts it, "The base of a negotiation is discretion."[531] It provides an environment that is conducive to building trust, where mutual non-disclosure of matters which could be damaging if they were made public, can serve as a simple and effective confidence-building measure. A secret backchannel was a vital precursor to the Northern Ireland peace process.[532]

Some interviewees raise concern about very public processes, such as the Geneva talks regarding the Syria conflict. In their view, the public nature of such talks and the continual briefing on developments can be counterproductive.[533] In the unambiguous words of the UN envoy: "[C]ommunication is today a quiet killing tool."[534] The envoy says that conflict parties may resist mediation efforts or even withdraw from a political process because they "don't want to expose themselves in front of the assembly of the United Nations…. [I]n the last 20 years or so… mediation has become a show. It's like a talk show."[535] Consistent with this, a former UN Standby Team member says, "[T]he mediation table in Geneva for

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[527] M912
[528] C562
[529] A practitioner, U673, emphasised this point with respect to the process in Mozambique: "In order to keep at bay the spoilers, it has to be a secret process."
[530] U673
[531] Y419
[532] I256
[533] I415
[534] Y419
[535] Y419

Syria for me was just front of stage work, the real game was the geopolitical one."[536] And managing a public process can be challenging: "[Y]ou're not only managing the process, you're managing the perception of the process, and I think that is hugely difficult, especially the social media era."[537] One scholar and former UN official condemns the inclination of some envoys for convening public meetings to project a sense of momentum. The scholar describes this as a "treadmill" which undermines a mediator's credibility and could prove counterproductive.[538] Instead, the interviewee says, "I think mediation requires… an ability to resist the limelight…. [Y]ou need discretion in order to get things done."[539]

Yet some mediation specialists bring attention to the potential drawbacks of secrecy. The cost of secrecy may be inclusivity, and such processes may in time, generate a sense of marginalisation or exclusion among certain groups who may then seek to undermine the process.[540] It can also reduce a sense of national ownership. As one mediator says of the Colombia peace process, "[O]ne of the things that [was] troubling me was the fact that the process was so excluded from the people. There was no transparency, because the real negotiations took place in Cuba. I kept on saying to President Santos, you have to launch a campaign to bring this to the attention of the people, what is going on at the negotiations."[541]

Implications and propositions

Experts urge mediators to make judicious and prudent decisions about when to use secrecy or transparency according to the nature of the process, the stage it is at, and the task at hand. In other words, there may be efforts that, at certain times, require or benefit from confidentiality. As one former UN official puts it, "SRSGs balance transparency and confidentiality" and that an accomplished mediator "understands when [to use] transparency to build popular legitimacy and when to use discretion and privacy in order to be effective [in building trust and advancing dialogue]".[542] The official praised Nikolay Mladenov, the UN envoy for the Middle East Peace Process, for his use of discretion in navigating acute and wide-ranging political sensitivities.

Many specialists spoke to the advantages of confidentiality; some spoke to the advantages of transparency. One former UN envoy describes how greater openness in Libya was a vehicle for building broader national buy-in to a process, and therefore strengthening its legitimacy:

> [I]n order to boost their legitimacy, we had to open up the process. And we did that through building sub tracks, which fed in and where we used Zoom technology, you know, to have meetings with large groups of youth, women, municipalities, municipal leaders. They have rapporteurs who fed into the political track. And then we did these digital dialogues… where we brought in literally 1,000s of mostly young Libyans… And we took the results of the dialogues and we fed them into the political track…. [S]o this was to say to the political class, 'Look, this isn't just the UN preaching at you.' And we just kept on opening up the aperture on transparency. So by the time we got to Geneva, where I decided, basically, everything's going to be open to the public. I think that that really boosted the credibility.[543]

The appeal of discretion, for trust building, is in tension with the need for inclusivity, to bolster legitimacy and durability. But certain policy tools and approaches can render this issue less dichotomous than it appears. First, distinction: distinguishing information according to what should and should not be

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[536] B118
[537] H939 – a scholar-practitioner.
[538] I415
[539] I415
[540] N291
[541] T302
[542] Z750
[543] M912

shared publicly.[544] Second, simultaneous activities: processes may comprise several channels or lines of effort, some of which are highly sensitive and not publicly disclosed; others are more inclusive by design. One practitioner says such an approach was taken in the Mozambique peace process where alongside a confidential channel, certain issues would be considered by parliamentary committees and commissions.[545] Third, sequencing: when a channel is sufficiently robust it may be better able to withstand the pressures of greater exposure, and therefore expanded to include more parties and more openly disclosed. Fourth, calibrated protocols on information sharing: in some cases it may be possible to move beyond all-or-nothing conceptions of secrecy or transparency: "less emphasis on confidentiality," says a UN expert, "and more emphasis on agreed codes of conduct, agreed ways in which information can be shared".[546] For instance, it may be possible to share information with certain key leaders of a society even though they do not directly participate in a confidential channel of dialogue.[547]

13.4 Deficiencies in strategy and technique

Some of the critiques outlined above – such as the prioritisation of agreements over building relations between the parties, or the failure to strengthen ownership – point to weaknesses or failures of strategy. Indeed, interviewees suggest there is a serious lack of strategic thinking in the field and that often there is simply no real strategy. As one scholar-practitioner explains:

> [There is] something else that's almost never done, which is strategy, really brings us into methods of work, and strategies. And I've been in... I can't tell you how many situations where there has literally been no strategy. Or we have a little meeting and say, 'Anyone have a good idea?' I mean, it is so juvenile… It was one of the running jokes I had with [a named envoy] because the first day I got to [a specified country] … I said, 'Okay, so you know, what, what is the strategy?'…. [The envoy] said, 'Well, it's kind of in my head'.[548]

One analyst describes how they had interviewed "a whole bunch of [UN] heads of mission and deputies, and heads of political, [to] ask them what did it take for you to develop a political strategy? And I would say that 75 per cent of them said we never had one."[549] Perhaps helping to explain this, mediators are rarely expected to develop, produce or explain their strategy. One former UN envoy says:

> [Q]uite often, members of the Security Council don't put the SRSG on the spot and say, in simple language, tell us your political strategy. Explain your political strategy… I don't know why they don't do it. And I also don't expect an SRSG to share every last element. There are things you want to keep up your sleeve. But broadly speaking, 'How are we going to get from here to there?' They should be able to answer that question. And they should be asked more often to speak to their political strategies, which would include mediation or negotiation.[550]

Strategic thinking involves making judgements about the means required to achieve certain ends. This involves starting with ultimate goals and working backwards to identify intermediate objectives, and

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[544] O989

[545] Y419 and U673.

[546] N291

[547] U673: "So we singled out key civil society people, we singled out key religious leaders, and every so often we would brief them on what was going on."

[548] R845

[549] K632

[550] R131. The interviewee goes on: "You need to maintain a grip on a political situation, and work out when is a moment when something might be susceptible to mediation… So someone else needs to be keeping an eye on the ball."

undertaking a rigorous and realistic assessment of what steps, of any kind, in a specific set of circumstances, could help to achieve those objectives.[551]

Different mediators or mediation organisations are likely to develop different intermediate objectives, according to a range of factors, including their particular capacities, experience and relationships. In a complex and changing environment any mediation strategy will be contingent and require regular adaptation. Assumptions of causality must be approached with caution and continuously revisited. The strategy will be one among others and shaped by system-wide dynamics. Furthermore, any strategy must take full account of the nature, views and preferences of the parties, and, as discussed in section 13.2 above, ensure that they feel a strong sense of ownership over the political process.

Indeed, a mediation strategy would seek to achieve exactly that, alongside other critical objectives, such as strengthening the relationship between the parties, enabling them to address the issues of contention, or protecting the process against those who might oppose it. But the absence of any kind of strategic approach – which connects ends with means – creates significant risks of superfluous activities that have little or no impact on the problem. It is an understatement to say that a strategic approach is not standard practice in the field of mediation. Rather, the impetus is often to try to convene the leaders of the conflict parties for talks which enable them to resolve their dispute.[552] In other words, practitioners typically start with means rather the ends – the antithesis of a strategic approach.[553] Similarly, the practice of pushing for a ceasefire between conflict parties, without any serious efforts to address, either in substance or process, the factors which led to the outbreak of hostilities and which sustain the fighting, typically signifies the absence of strategic thinking.[554]

Effective strategy making depends on at least three dissimilar skill sets. First, it involves critical thinking: in essence, the ability to analyse and evaluate evidence in a rational and an unbiased way, and to use reason and logic to draw inferences and conclusions. This provides a sound basis for decision making. As indicated in section 12.1, expert testimonies suggest that in the field of mediation it is not unusual for assumptions to be made instinctively or even with complacency, without a rigorous assessment of relevant facts.

Second, strategy development also requires creativity: vision, imagination, ingenuity and an open mind as to the ways in which ends can best be achieved. As one practitioner says, "[I]n my own experience, negotiation is literally creating something out of nothing… But the art of the whole thing is, well, obviously having a kind of vision of where it is you want to go to."[555] Few believe that modern mediation is sufficiently creative. As another practitioner puts it, "So I really think there is not enough freedom for creativity, which means that, for example, people who are professionalised in this linear, boring '90s way, they are not trained in also standing up and saying, 'Well, what I see here might not work. Can we rethink this? Or can we have at least a discussion about it?'"[556]

Third, strategy making depends on judgement, especially in relation to decisions about the means employed for the achievement of certain goals and objectives. This in turn requires a wide range of skills, including analysis and synthesis, insights into human psychology, and the capacity for anticipation, in

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[551] U673: "[B]asically start with the end and work backwards." Several interviewees brought attention to the need for intermediate objectives. N291: "But with a systems thinking approach to mediation, one would recognise that within the process, you have multiple objectives."
[552] H578
[553] U673
[554] It would seem that this approach is more often taken by diplomats or former politicians who have mediation roles than professional mediators. Consider, for example, some of the approaches taken in the Israel–Hamas and Russia–Ukraine wars.
[555] S442
[556] X753

which mediators have a mixed record.[557] Mediators are continually making decisions, ranging from what to propose as the next step in a given process, to the content of a communication with one of the parties.[558] One of a mediator's most important abilities is to be able to anticipate how the parties, or any other relevant actors, will interpret and react to what the mediator says or does. That ability depends, among other things, on fusing social and emotional intelligence with mastery of a complex constellation of relevant information. As discussed in sections 11.1, 11.2 and 12.1 above, such competencies are sometimes lacking.

Developing and implementing an effective strategy also requires knowledge of effective mediation methods and techniques and the ability to put them into practice. But, as discussed above in sections 11.1 and 11.3, practitioners and individuals appointed to mediation roles may have only a thin awareness of mediation methodology.[559] The approach they use in any given conflict may therefore reflect factors unrelated to knowledge or experience of mediation, such as first instincts, pre-existing assumptions, chance meetings, processes with which they happen to be familiar, and their previous experience, which, at higher levels, is often political or diplomatic.[560] As described, this can lead to approaches which are domineering or overfocused on securing a written agreement. On the contrary, says one mediator, form must follow function:

> The structure of your peace process has to follow the functions that you're trying to address. That isn't what usually happens. What usually happens is some major stakeholders get together and say, 'Right, we're going to bang heads together here, and we're going to make this work.' And that never works. At the very best it works in the short term.[561]

This is perhaps a particular risk for major states, who may overplay their hand. They have an "overlarge presence, kind of barging in," says a practitioner, "a kind of overbearing mediator who actually makes everything worse".[562] A former UN envoy echoes this:

> So either they [the United States] try to use a hammer in bilateral meetings or they use a hammer through sanctions, and they don't seem to understand that diplomacy and mediation can be done in different ways. And you can't always fly in from Washington and say this is how it's going to be. Sometimes, the opposite happens. So, I mean I'm now [being] very crude, but I've seen this many, many, many times…. [They're] too simplistic and too knee-jerk in their way of thinking.[563]

The immense variability of conflicts, mediation actors and mediation processes means that mediation methods and techniques are highly contingent and must be adapted and developed according to the mediation actor under consideration, key mediation objectives at any given stage of a conflict, and of course, according to the conflict and its history, and a panoply of contextual factors. Mediation methods therefore cannot not be applied formulaically. Rather, they must be used with creativity, pragmatism and a readiness to seize and exploit opportunities.[564] They are thus *sui generis*. "[F]or me, every country,

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[557] Discussed at different points in the expert colloquia held on 19 July 2022 and 21-23 March 2022. See also sections 11.1 and 11.2 above.

[558] This includes a decision not to take action.

[559] As indicated in the sections noted, professional qualifications are not required for mediation work; personnel, at all levels, can be recruited without any previous experience of mediation; and training, mentoring and coaching is limited.

[560] C774

[561] F701

[562] S442

[563] C261. There is an obvious connection, here, to the points made in section 13.2, above, on lack of ownership.

[564] N200. The mediator described how he was not permitted to mediate in relation to a constitutional crisis in an East African country. However, he convened a technical meeting which became a political forum, involving

every conflict has its own methodology," says one former UN mediator.[565] A UN Standby Team member agrees, concluding:

> I don't think we pay enough attention to designing unique processes for unique conflicts. So we tend to look at what processes have worked in other places. And then we maybe take a bit from that, and a little bit from there, and a bit from the third one, and we come up with a process and we try it. And then in the good processes there's room to adapt and change along the way. But I think even better than that would be right from the very beginning, thinking of each context as requiring a unique process, and involving even the conflict parties or representatives from the conflict parties, as well as local technical expertise in the design of the process that was tailor-made or bespoke for that particular place.[566]

One scholar-practitioner underscores the interaction between process, relationships and substance – and argues that a mediator's central role is, in essence, to help build and manage a process which strengthens relationships between the parties and enables them to address the issues of contention.[567] This points to the need for proficiency in process design, which is sometimes seen as lacking.[568] As a mediator says, "[P]rocesses are just as important as the substance… If we can't get the process right, of course, we're never getting the content right."[569] Those processes, and any concomitant roadmaps, must incorporate scope for flexibility and adaptability, including to enable the parties to shape their substance, form and function.[570]

These factors underscore that mediation practitioners must be versatile, and capable of skilfully adapting and applying mediation methods. For that, practitioners must first of all be familiar with such methods, as studied, theorised and incorporated into mediation pedagogy. Yet, as noted in sections 11.1 and 11.3, this is not always the case. Consequently, interviewees said they had seen mediation teams mishandle some of the most elementary methods and techniques, including trust building, perspective taking, and interest-based problem solving, which are briefly considered below.[571]

Building trust with and between the parties is seen as the foundation of relationship building, and therefore at the heart of mediation work.[572] Trust, in this context, rarely has the expansive meaning it has

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dialogue between the government and opposition. "I just created that opportunity that transformed into a critical forum… Where did you find this methodology?"

[565] N200

[566] N291. The interviewee concludes: "And so that I don't think happens very much – and I think it could happen more."

[567] C531. These considerations are sometimes referred to as the process, people and problem.

[568] C531

[569] Expert colloquium, 28 October 2021.

[570] Expert colloquium, 28 October 2021. Mediation expert: "[W]hat gets put on the table as the roadmap is only what's agreed at that particular moment in time, but that there needs to be space for that to be adapted, and there needs to be space for flexibility…. What seems to be key… is the extent to which the parties themselves have had a hand in shaping the nature and form of the roadmap, and how they've reached an agreement between themselves about the purpose and the function of the roadmap within the process."

[571] Clearly, mediators use a range of methods and techniques, some of which are covered elsewhere in the study. In addition to the three techniques briefly considered in this section, practitioners are not always familiar with techniques to frame and guide the thinking and interactions of conflict parties that can help to enable more constructive dialogue. This includes, for instance, expanding the "problem set" or range of issues under consideration in order to enlarge the scope of possibilities for negotiations; envisaging positive and negative future scenarios, and working backwards from those to identify how those contingencies could be achieved or avoided; and encouraging each side to consider what outcomes of negotiations might meet the interests, needs and concerns of the other side, and thereby enable its leaders or representatives to present those outcomes to their adherents or constituents in a way which is favourably received.

[572] T302. B905: "As a mediator, you're trying to offer trust in yourself as a small way to bridge into trust of the other."

in general usage. Trust in the mediator centres around reliability and competence, says a former UN expert: "[C]onfidence in the process, and in the person… [Y]ou just want them to feel this person knows what they're doing [and] it seems what they're doing is worth doing."[573] It connotes a capacity to fulfil your commitments: "that you can deliver what you are saying you will deliver", as one practitioner puts it.[574] Trust building between adversaries aspires to nurture a minimal, working level of mutual confidence in the other's sincerity and reliability. In the beginning it involves "working with the absence of trust", says the former UN expert. "Managing mistrust is where we start."[575]

Some specialists even believe that trust – including the parties' trust in the process – determines the scope of what can be achieved.[576] How trust is achieved in any given process depends on the details and context of any given case, and the particular attributes of the mediator(s) involved. As a mediator says, "[T]here's no one size fits all. Everybody has to find a way of making it happen."[577] And yet, some approaches taken by mediators are seen as not conducive to trust building or even counterproductive. This includes, as noted above, running highly publicised processes rather than discreet channels of dialogue.[578] Colloquia participants described "confidence-building measures" which are so onerous that they are likely to fail, and thus undermine confidence between the parties, such as the office that the Afghan Taliban was permitted to open in Doha, which triggered a powerful backlash from the Afghan government[579] or the multitude of short-lived ceasefires in South Sudan.[580]

The subtle and sophisticated encouragement of perspective taking by conflict parties is seen as a crucial technique for mediators.[581] For one former UN envoy "mediation is translation".[582] The mediator explains that parties may be highly knowledgeable of adversaries but often fail to appreciate their worldview and understanding of events; their perceptions and motivations:

> One of the most important ways of getting progress in the peace process in my experience, is to… start translating between them…. [Y]ou start helping the parties to get into the other side's shoes…. So if you manage to do that convincingly, over time both sides will begin to see the other side's perspective. They will begin to be able to externalise their own situation. That's the minute when they will start thinking, 'Ah, how can I find a way forward here?'…. [T]hen you can get to a stage where they may be able to find compromises and accept those compromises.[583]

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[573] B118
[574] U673. According to one practitioner (F705), one of the greatest concerns, for negotiators, is whether they can "deliver" for their constituencies. They therefore want a mediator whom they believe can deliver.
[575] B118
[576] D233, and expert colloquium, 28 October 2021.
[577] A659
[578] Y419
[579] "Afghan President Karzai to boycott talks with Taliban", *BBC News*, 19 June 2013, available at: https://www.bbc.co.uk/news/world-asia-22973111.
[580] "South Sudan: Ceasefire violations, hostile propaganda undercut regional peace push, Security Council told", United Nations News, 24 January 2018, available at: https://news.un.org/en/story/2018/01/1001121.
[581] B905
[582] C261
[583] C261. Full quote: "For me mediation is translation… [W]hat do I mean by that?... If it's a real conflict about real issues [like the Sudan negotiations], you find that you have two parties on two different planets, and they basically don't understand each other. They have no idea why the other party is thinking that way. They have some idea…. But they really don't understand their perspective. One of the most important ways of getting progress in the peace process in my experience, is to actually understand that planet, and the other planet, and start translating between them… you start helping the parties to get into the other side's shoes… So, if you manage to do that convincingly, over time both sides will begin to see the other side's perspective. They will begin to be able to externalise their own situation. That's the minute when they will start thinking, 'Ah, how can I find a way forward here?' if you [they] really want peace, that is…. So you have to translate where the other one comes from, [and] for the other one, you have to do it the other way around, and then eventually when you've translated for long enough, on the

Yet, as discussed in section 11.2, mediators often lack social and emotional intelligence, or the ability to empathise with the parties, and then enable the parties to acquire a deeper appreciation of their adversaries' perspectives and motivations.[584]

Some mediators appear to be unfamiliar with or simply overlook the potential utility of an interest-based problem-solving approach. In essence, this involves the identification of the parties' legitimate interests, needs and concerns; the generation of options, without commitments, as to how these interests and needs can be met or concerns can be addressed; and the joint evaluation of these options.[585] Such an approach may not always be relevant, and is never sufficient.[586] But it can help to avoid the rush to find and agree solutions which can prove so counter-productive. Bringing the parties' attention to what really matters, enabling them to get out of a bargaining dynamic, and, as one scholar-practitioner puts it, "bring[ing] people together to explore ideas without commitments", can play a critical role in enabling progress.[587] The scholar-practitioner describes how such an approach – inviting the parties to desist from negotiations – helped to unlock a conflict that had persisted for ten years between two member states of a federation.[588] Another scholar-practitioner underscores the importance of non-formal meetings, with no records or attribution, where "we're only looking for good ideas. We're not repeating everybody's view of the conflict. We're only collecting potential good ideas that could form an agenda for mediation, of action that could be taken…. where ideas are defined as ideas that might win support from all the parties because they take account of their interests."[589]

Implications and propositions

Greater attention should be given in research, training and practice to mediation strategy, including how to strengthen critical thinking and creativity. Mediators and mediation teams should be required to develop strategies, which set out long-term and intermediate objectives and the means by which those could be achieved. They should shape their activities around those objectives, and regularly evaluate to what degree their efforts contribute, or could contribute, to their achievement. All mediation personnel should be

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basis of the relationship you've developed, then you can get to a stage where they may be able to find compromises, and accept those compromises and open themselves."

[584] O717

[585] At a minimum, such an approach would usually involve at least three conceptual stages, which would be linked in practice: an exchange of perspectives on the conflict and identification of core motivations, interests, needs, and concerns on all sides; the generation of options, without commitments, for ways to meet or address legitimate interests, needs and concerns; and then jointly evaluating those options according to agreed criteria.

[586] Some interviewees articulate the need for processes to go beyond a rational assessment of interests and mutually beneficial outcomes. (H578.) A mediator reflects on their experience in Northern Ireland: "Here were a bunch of people that were quite prepared to do things that were not in their own interests. You know, they were prepared to kill and die for something that they believed in." (F701.)

[587] C531. "We often think that in negotiations, we'd like to put one of the party's head in a vice, and we'd like to screw it up so the tighter you get, the more likely it is that they're really ready to give in, when in reality, what you want to do is that you want to loosen that vice a little bit, I think."

[588] C531. "I think there's a value in separating out an educational component of negotiation from a problem-solving component of negotiation… One of the things that I did… in an interstate case [which] had been controversial for about ten years. They were totally stuck when they got me in. I said, 'I'm going to come and meet with you, but we're going to take a period of time where we're not going to negotiate.' And they looked at me and said, 'What?' I said, 'We're not going to negotiation. What we're going to do, is we're going to have a chance for you to present your views, have people ask as many questions [as they wish], but if you try to reach an agreement, I will stop you.' And we did it. And at the end of this session, one of the parties said we've been fighting on this issue for ten years, and I think I didn't understand it. And I understand it now.' So the problem is, if you have people who are very, very polarised, can you get them together to do that? To me, there is a real value in having this educational component where you really get a chance to understand what parties' interests are and what has driven them, and what happened."

[589] E273

familiar with key mediation methods and techniques, and process design, which requires training and mentoring at all levels.

At the same time, the adoption of a strategic approach in more complex, fragmented conflicts, in which where mediation actors are subject to challenging conditions and constraints, will require them to diversify. They should be prepared to carry out a wide range of activities that may bear little resemblance to the concept of mediation in private cases. They may still mediate and facilitate, but increasingly they will need to manage, orchestrate, mobilise, persuade, motivate, connect, advise and create – and indeed this is already happening. It is an "open secret" that mediation organisations rarely mediate.[590] To quote one practitioner: "[T]here's this focus on mediation as… how do you negotiate between the parties, and very, very few people in the field actually do that part, right? Very few people actually sit in the hot seat and negotiate between the parties, many more people are working on the mediation process more broadly. And I think that's often missed, whether it be the organisation of the process, the outreach to different parties, the communication."[591] Put differently, mediation personnel frequently turn their hands to a range of tasks; they engage with a range of actors, support and assist them, bring them into processes, and help to move things forward over time.

By way of illustration, some practitioners say they are engaged in mobilisation work. One former UN expert describes this as helping to create and configure coalitions of states on specific conflicts, and then securing their support for mediation efforts through persuasion, advocacy, policy work and "a level of orchestration".[592]

Some mediation actors intentionally serve as advisers to one of the parties to a conflict or to certain other actors. And where such teams liaise and collaborate this can serve as a kind of virtual mediation. As one scholar-practitioner says:

> [Y]ou have to be really creative even about mediation… [and consider] mediation without mediation, or mediation without mediators, because you're often advising. It's negotiation advice given to all sides, which, in effect, is a kind of mediation, but in no way are you the accepted or designated mediator necessarily, because in a lot of these situations, people don't want so-called mediators. But they want mediation without mediators.[593]

Another scholar-practitioner, quoted earlier in this section, supports this approach: "The first thing is the idea of mediation teams, to get around the problem of nobody's going to not be seen as biased by one

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[590] Expert colloquium, 22 November 2021.

[591] O989

[592] R845. Full quotation: "I'll tell you, something that I'm discussing with the Bangladeshi government. So a real case, which is in Myanmar right now. But a very big part of it is going to be the kind of herding cats problem of the international, diplomatic, or the political community. Yeah, how do you actually mobilise? And the UN as such, is not going to be the right place, because the Security Council is blocked and so forth. So, you have to be creative. And you have to be thinking about very tailored combinations of relevant actors and interests, and trying to find which ministers would get along and go along. And then how do you cultivate that and usher it and shepherd it? … [T]hat's really crucial. And, you know, very, very few people know how to do that, because they've almost never done it. You know, diplomats, their job is still kind of nineteenth-century diplomacy: you send a message, you receive a message. You know, you deliver. But swimming in the complex environment, and this mobilising element… [A specified individual] called it 'quiet diplomacy plus'… classical diplomacy is quiet anyway. But we're not just quiet, we actually do advocate things. We actually do urge, suggest, and mobilise. We try to get the right combination in the room of who can weigh on who and who's going to be persuasive on whom and why; you know, we orchestrate, we cultivate. And then we feed it, we will go even so far as to literally draft the texts for the different actors in the room. So they say the right things, and I mean, so a level of orchestration that's very far ahead. And we will think about crediting, if they can't say it, because it's problematic, maybe we can say it, or maybe they need to say it, because they need the credit, you know, we will work on all of that to get the damn thing moving. I'm putting all that under the umbrella of mobilising."

[593] F510

side or the other in a dispute. So by having teams, you can neutralise that. But they really have to work, learn to work together."[594]

Yet not all aspects of this line of thinking are universally accepted. Some activities undertaken by mediation organisations may be so detached from the conflict that they stand little prospect of making a difference to it. UN missions are typically expected to fulfil a wide range of functions, and independent mediation organisations are also taking on diverse workstreams such as advising a conflict party on policies relating to governance, counter-extremism, strategic communications, or environmental issues.[595] These efforts are potentially of value on their own terms – assuming mediation organisations have genuine expertise in these areas. But in some cases, it is questionable to what degree such work advances the core objectives of preventing, managing or resolving conflict. It may well do so. But it may do otherwise if it absorbs or diverts time, attention and resources away from the achievement of those objectives, or has other adverse implications, such as undermining a mediation organisation's claim to impartiality.[596]

13.5 Mishandling inclusivity

Inclusivity, in this context, refers to the means and extent to which the views, interests, needs and concerns of the conflict parties and all other stakeholders are represented and integrated into a mediation process and its outcome.[597] This section, like many others, cannot hope to cover a complex issue like inclusivity in depth, but it can at least set out key issues as expressed by interviewees. Given the breadth of views on this topic, this section is divided into four subsections: rationales; reservations and concerns; methods; and implications and propositions.

Rationale for inclusivity

It is widely acknowledged that to succeed, mediation processes must involve powerholders.[598] Their authority over fighting forces means their assent is almost always necessary for any short-term or long-term end to hostilities. As one mediator puts it: "I have to sit down with those who are holding the guns or the power."[599] Elites typically start wars; their involvement is considered by many as a necessary if not sufficient element of processes that seek to bring them to an end. As one expert says:

> So I think political and business elites are the ones that decide to wage wars and lead people to wars. And to end wars, you need political and business elites at the table. As simple as that. Now, does this mean that civil society does not have a role at the table? Yes, it does [have a role]. But the final decision has to be in the hands of those who started the war, and civil society will need to create the pressure, will need to help shape the deal, will need to be involved in implementation, monitoring, yes. But we go back to who started the war. Who has the power to end the war? Political and business elites.[600]

Notwithstanding this, governments and multilateral institutions have introduced proscription rules which impose sanctions on individuals and non-state armed groups designated as terrorists. This creates significant legal and reputational risks and obstacles for mediation organisations, which deters them from engaging proscribed groups. And as one mediator says, "[Y]ou can't have an inclusive negotiation if you

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[594] E273
[595] Expert colloquium, 21-23 March 2022.
[596] *Ibid.*
[597] "UN Guidance for Effective Mediation" (New York, NY: United Nations, 2012), pp 11-12.
[598] N200
[599] D233
[600] D537

can't talk to terrorists."[601] One practitioner who works with a leading mediation organisation emphasises the wide impact of proscription laws:

> [Proscribed groups] are present in almost every conflict that we're engaged in. And this reality basically creates obstacles to engagement and dialogue with actors we disagree with. The whole definition of mediation is that we are meant to come to the table with enemies on each side of the negotiation table. Unfortunately, I feel that the current reality generates an aversion among mediation actors to take risks, given that some of the legal risks that we're facing are really significant.[602]

It is also widely understood that effective mediation processes must also go beyond leaders and elites, and involve different elements of society, for which interviewees shared several rationales. These rationales, outlined briefly below, tend to coalesce around three interrelated propositions: fairness as a core value of mediation work; the utility of inclusive approaches in advancing a process of dialogue; and the contribution of such approaches to achieving better and more enduring outcomes.

Inclusivity is a core component of the liberal paradigm that permeates much of contemporary mediation. As a UN envoy argues: "Mediation is about values at its core. It's about this issue of neutrality, it's about fairness, it's about inclusion. It's about not letting unfair diplomacy get in the way."[603] Inclusive approaches embody and give effect to the abstract concept of fairness. The whole of society must live with the outcome of what the warring parties agree. It is therefore right that different elements of the population, including those who are marginalised or disempowered, should have a say in any process that seeks to reach an accommodation between those parties.

Inclusive approaches can help to protect and advance a process. To expand, they can help to reduce the threat from actors, including groups or powerful individuals, who are excluded from a process, and who believe their interests or concerns are not being taken into account, and may therefore take steps to undermine those processes, including through the use of force.[604] (Such actors are sometimes known as "spoilers", a widely used but oversimplistic and misleading term.)[605] Inclusive approaches can also enable the mobilisation and application of pressure on the conflict parties to resolve their differences. As the UN envoy says:

> [I]t's obvious, I think, in most conflicts, that the degree to which the leadership of the parties is usually the problem in finding a solution is phenomenal… So you can kind of rely on the fact the party's going to [expletive] you over. So it makes inclusion vital… Inclusion because you know, people always hate the [expletive] war, apart from those who are making money out of it. It's not just women. It's the whole shebang.[606]

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[601] Colloquium, 14 October 2021.

[602] Colloquium, 14 October 2021.

[603] E610

[604] A659

[605] Like other terms that define an actor in a singular, definitive way and only by their conduct, the term "spoiler" is problematic on several grounds. The term defines an actor by only one aspect of their conduct, and thus detracts from a consideration of the full scope of the actor's attributes, disposition and behaviour. (Indeed, it carries negative connotations about the nature of the actor, which may not be justified.) The term diverts attention from the actor's motivations for spoiling, which are often important to understand, and suggests a permanency to the actor's condition which may be unfounded: actors of different kinds may, at certain points, seek to block or undermine a political process or overturn an agreement for a range of reasons. Notwithstanding these considerations, the term "spoiler" is now widely used by researchers and practitioners. It therefore features in quotations and is briefly used in the text, but should be read with the above caveats in mind.

[606] E610

A senior UN official emphasises that most conflict-affected populations favour peace. Mediation should be "reaching out and building the constituencies for peace and building the kind of leverage for peace…. This is one of the great benefits of inclusive [approaches], why mediation should be thinking about inclusivity, you should be borrowing and drawing on the leverage and pressure from within societies." [607]

Furthermore, the inclusion of certain groups can in some circumstances help to improve the quality or consonance of a dialogue. One former UN expert describes how the involvement of representatives of the Assyrian community in a dialogue convened in Iraq helped to build relations between other groups:

> They just wanted recognition and protection, that's essentially all they wanted. And they were huge proponents of stability and peace between everyone else, because it screws up their life. And so they became very positive bridge builders, between the others in the room, as minor as they were, [with a] real kind of force. [608]

Inclusive approaches can enhance the quality and impact of peace processes. They are more likely to generate inclusive outcomes – in other words, inclusive structures of governance. [609] And they are seen as more likely to produce outcomes which reflect the best interests of the affected population. The senior UN official exhorts inclusivity "if you want an agreement that's more than a kind of dirty deal between disgusting elites of all sides". In the official's view:

> [S]ociety as a whole generally, you know, the broad base of society generally has much more enlightened ideas about the kinds of future they want, the kind of agreement, you know, because people are the same. We've all seen it. People want one peace; they want their children to get educated; they want, you know, they want the SDGs [Sustainable Development Goals]. Because of course they do. But the top level of the parties might not be thinking about the SDGs. They're thinking about their quota of power, they're thinking about resources, they're thinking about keeping their business interests open. [610]

As some see it, empowering civil society is a more effective way of advancing normative policies, such as relating to human rights and freedoms, than applying external pressure, especially in an era of increased resistance to interference in domestic affairs. As the UN official continues:

> [I]t's much easier if you have an active and empowered civil society pushing for these things… and particularly if you're [with the] UN and you're thinking in normative terms, then the better you link up with those kinds of pressures, upwards… In this era of greater sensitivity of sovereignty, it's not just the noisy West coming in, but it's society pushing up… [It's much] better than coming in and wagging your finger and telling them what they should do. [611]

Having greater legitimacy, a wider set of stakeholders, and higher levels of support or acceptance, many believe that inclusive processes are more likely to generate sustainable outcomes. This derives, in part, from elementary psychology. As one expert observes, we know from our own experience that people are far more likely to accept the outcome of processes in which they have been involved. [612] Thus, as one former UN envoy says: "Elite deals without societal anchor have no chance. In the end… they will collapse." [613] "[P]ositive, constructive management of diversity is at the heart of what solves the conflict,"

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[607] F436

[608] R845

[609] Practitioner, expert colloquium 28 October 2021.

[610] F436

[611] F436

[612] N291

[613] C261

says one practitioner, "You have to think about the wider conflict and what is going to hold the society together, going forward. And a lot of that is invisible to the high-level, elite mediators."[614]

Reservations and concerns

Notwithstanding these rationales, some mediation specialists have reservations or concerns about inclusive approaches. Indeed, some specialists hold views that are in tension with the rationales articulated above and their views would be vigorously contested. They question assumptions generated by research; doubt the viability of inclusive approaches; bring attention to the risks; have concerns about "overloading" processes of dialogue; and point to the capacity constraints of mediation organisations.

First, some experts question the academic basis on which assertions are made about the degree to which measures to involve women in peace processes improve the prospects for success.[615] According to one expert:

> This study that's cited all the time that says the most successful peace processes are those that have included women. And of course, that's a correlation; it doesn't mean causality. And of course, the reason that they've included women is because there's more space, and they're more likely to be successful in the first place. I mean, the whole thing is based on ideology. Again, I agree with the value side of it… but when it comes then to muddying your analysis, you know, in cases where there's going to be very narrow space, you know, for reaching some sort of compromise… you know, if you're then holding that out for that sort of stuff, it can be counterproductive. You then contribute to making things worse.[616]

These concerns are echoed by a scholar-practitioner:

> [Y]ou have people, particularly on the more normative side, who were studying things like you know, inclusion of women, who use datasets that are very, very poor. I mean anyone who's been in one of those processes and you see the way in which the datasets for say, women's involvement, is constructed you think, actually, the case I know about doesn't fit. And that would be okay if it was just one case, but when you get six people saying, 'Okay, this is interesting, but the case I know about doesn't fit.' And six out of six don't fit. Here we have a problem and I think a lot of the conclusions that have been drawn, very normative conclusions about inclusion and so on, are based upon very problematic data.[617]

Another non-governmental practitioner expresses concerns along these lines:

> [W]henever I hear someone tell me that, you know, including women will make the peace more sustainable, there's always a part of me like, 'Do you actually have any evidence for that? Or is that just a normative statement?'… because I'm not sure that there have been quite enough successful peace agreements to really be able to prove that.[618]

These concerns are shared within the United Nations, as reflected in these comments by two senior UN officials: "[T]his is controversial, but I'm not sure that we have data that inclusive processes mean more sustainable peace – but it's slightly iffy data, I'm not sure that's what causes success."[619] "I

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[614] C477

[615] For an overview of the extensive literature relating to the inclusion of women in peace processes and peacemaking see Maxwell Adjei, "Women's Participation in Peace Processes: A Review of Literature", *Journal of peace education* 16.2 (2019): 133–154.

[616] C457

[617] W659

[618] O989

[619] M807

honestly– I'm not convinced that these processes hold all the magic that people think they do… What I worry about is I think it's becoming too much a question of ideology, rather than efficacy."[620]

In line with this, speaking of mediation practice, one practitioner casts doubt on the impact of including groups that are typically marginalised from political processes:

> To be honest… in any of the processes that we have either been involved in both directly or [as] bystanders… the inclusion stuff has always been artificial. I mean, if you look at one of the most prominent – look at Yemen, that national dialogue process… where you would have the quotas on women and youth and whatnot, and look what it delivered… So no, I don't believe in that at all. I think inclusion if you do it, it needs to serve… the purposes of the process. You just don't do it, because somebody says that we should, and some books said, some studies [said] that it works better [with] more women or youth… I've never seen it work, ever. I'm not saying that maybe it cannot work, but I've never seen it work.[621]

Taking considerations of this kind into account, one scholar-practitioner calls for a level of caution when it comes to expectations about the direct impact of inclusive approaches:

> So what they've done – and the conclusions they've drawn are now repeated all over the world as, you know, 'evidence shows'– yeah, it's still pretty thin scientifically. I still think it's pretty good. You know it actually did show some things… I am a big proponent of inclusion… women and youth and others. But the idea that what it brings is going to fundamentally change the immediate issues of the violence aspect is way overstated.[622]

Second, some specialists question the feasibility of inclusive approaches in the current global context, when the parties themselves, their backers and the international community have little or no genuine commitment to such approaches. One senior UN official says: "I also think we're almost being unfair to civil society about them now. Because we're running around creating all these expectations: they'll all have these very important seats at the table, and they'll all be able to give their inputs and actually be part of the decision-making process and party to the agreements. And very rarely they are, in the end."[623] Indeed, the official continues: "[A] corollary of the big powers and geopolitics, is that also you're going to see more and more big power mediators." [624] One expert expands on the implications this may have:

> [P]robably the world is moving in a way that it's more difficult to have the big inclusive type of stuff that people say is best practice. I mean, to be honest, all that stuff I think is nice in theory, and I'm sure in many cases it would be ideal, but it's just not practical.… I also suspect that in a world where you're increasingly dealing with the Russians or the Saudis or the Qataris or Turkey, then it's not going to be about broad inclusive peace deals; it's going to be about elite understandings and hoping for the best. That's just inherent in the way those countries work and in some ways maybe that's more effective in any case... It is an interesting question because still everyone– all the different bits of the UN are talking about how important it is to have their bit represented. You know, it's got to be the same usual Christmas tree and everything else… and everyone's got to have a seat at the table. But that doesn't seem to reflect the reality of power and who's involved now, nor the reality of what's actually happening on the ground. On the ground it is much more behind closed doors, trying to find arrangements between the most powerful armed actors.[625]

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[620] B298

[621] F705

[622] R845

[623] B298

[624] B298

[625] C457. As noted in section 9.1, in this context the expression "Christmas tree" usually refers to a process that is excessively burdened with objectives that may be laudable but difficult to achieve.

By way of illustration, one mediator emphasised the lack of political will to address deeper issues that explain the outbreak of violent conflict in the Tigray region of Ethiopia in 2020–2022:

> [I]s there the will within the international community, and Ethiopian government, to go into longer debate, and say, 'Let's address those fundamental cleavages that are tearing society apart, with the hope of creating a new basis, or at least creating a common vision in the future, and then building those bridges, and how to get there'? That's the problem, the luxury of that is so hard to get. And this is a real problem. Ethiopia is fighting over an issue that's 120 years old, and she's never been able to find her national identity…. [W]hen you say this [and argue for inclusive approaches] to the donors or you say it even to the Ethiopian government [they respond]: 'Listen [the interviewee's name], you're a nice guy, we like you, but we don't have time for that kind of stuff. Let's look at the real problems we've got, that violence that has broken out in the Tigray region, how can we address it and then we'll see what happens.'[626]

Third, some interviewees brought attention to the risks of inclusive approaches. Negotiations are seen by the main armed actors as determining matters of critical national importance and issues that directly affect their own interests, such as discussions relating to disarmament, governance or accountability. They may therefore resist wider involvement and use or threaten violence against those who do engage, unless their views are consistent with their own. One state mediator recalls such cases:

> But how far can you go?... And like a religious leader said to me, 'You know, I agree with everything you're saying, for the very simple reason that if I disagree, they'll kill me tonight.' I'm putting this man's life in danger, putting him into a process that he doesn't even want to be in, with, I think, a noble thought of inclusivity and giving voice to those who have been marginalised in the whole damn conflict, but the ones who have the guns are still there at that moment. These are the kind of problems we're confronted with. In Darfur [where armed conflict erupted in 2003]… we insisted on women's representation. The women came, they were very helpful and extremely constructive, for the process, but the parties didn't like it. They beat them up. They literally, physically, beat them up.[627]

Fourth, some interviewees believe that inclusive approaches can overburden processes, such that demands made on the parties can generate resistance. Typically, processes entail huge challenges, not least in terms of overcoming acrimony and mistrust; managing powerful emotions and biases; managing those who oppose the process on all sides; and addressing an array of contentious issues. Some caution against efforts that exacerbate or complicate these challenges, or indeed create new challenges. As a practitioner reflects:

> I don't know how many examples that are of genuinely properly inclusive peace agreements that have worked. It seems a bit like this theoretical aim that in practice rarely comes about. I mean we ourselves [a respected mediation organisation], we put a lot of effort into this idea of inclusion and reaching out to marginalised groups and reaching out to groups that aren't involved in the process… Sometimes I do step back and wonder to what extent that's really been useful. You're sort of giving seats at the table to very, very small constituencies who are massively complicating the negotiations… Simply trying to get people to stop violence or to stop killing, with the very meagre tools of dialogue alone is such a mammoth task that invariably fails, that trying to complicate it further is hugely problematic.[628]

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[626] D233
[627] D233
[628] O989

Some point to the risk of expecting more from mediation than it should realistically be expected to achieve, an issue discussed in section 9.1 above. As a former UN Standby Team member reflects, "I do think that there's a danger of overloading mediation processes, and thinking of mediation, not as a way to resolve conflict, but to transform societies."[629] Some point out that the levels of inclusion expected in some processes have not even been achieved in the political systems of developed societies.[630] Even those who advocate for inclusive approaches appear to accept that if they are undertaken too early, and without deft handling, they could jeopardise fragile processes of trust building, as discussed further below.

Fifth, there are limits to the capacity of mediators and mediation organisations, given the many other challenging tasks they face. A UN official says, "We then don't discuss the tension that exists, because of course, which envoy or mediator could say, 'Look, I don't want to talk to the women and the civil society groups right now, because I really need to focus on these three or four key stakeholders."[631] Some mediation professionals say they simply don't have the knowledge, capacity, resources or time to be able to enable broad-based inclusion. This is a view that one state mediator took in their role in the Venezuelan political crisis from 2019 onwards:

> [F]or the Venezuelan negotiations, we were very much reluctant to include too many in the negotiations and the dialogue. Because we understood that we wouldn't be able to handle all the inputs and all the voices in various sectors that were not, you know, [a] formal part of the structure, be that on the government side or the opposition side. And similarly, for a small actor like [a named mediation organisation], being able to coordinate for example, civil society, is just a Herculean task. And it's just not feasible for us to do [that].[632]

Some interviewees point out that mediators face trade-offs. Constraints of time, energy and influence may mean that they may have to prioritise certain aspects of their work at the expense of others (at least over certain periods). As one practitioner says:

> But then the question becomes, for me, [how to] pick our battles. You know, we as mediators coming in, how many battles are we going to fight?... [H]ow do we square all these pieces?... And it pains me to say this, because, of course, I am a woman, and I feel very much this point. But it's just like, 'Are we going to be able to advance every principle that we think is important all the time at all times?' I don't think that's possible. And maybe sometimes it's about making hard decisions, because, again, if we don't make those decisions, then the impact of not making them is worse than if we let go of some of these priorities, at least for the moment, in exchange for saving lives.[633]

This study did not involve a cohort analysis – in other words, assessing whether there are correlative patterns between certain demographic or other attributes of interviewees and the views they express. However, the author notes that of the thirteen interviewees who raised serious reservations and concerns about inclusive approaches, and who are quoted at length in this subsection, just two are female specialists. This imbalance could be attributable to several factors, including, in part, the higher number of male interviewees.[634] However, it could also reflect a gender disparity in terms of the views of men

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[629] O717
[630] O989
[631] P491
[632] A721
[633] E527
[634] As noted in section 2, the interviewees, identified through using a "snowball technique", comprised 62 men and 24 women. (Of the colloquia participants who were not individually interviewed for the research, 52 were women and 20 were men – but by comparison colloquia participants had less time to share their views than individual interviewees.)

and women on the utility, viability and impact of inclusive approaches. This gender imbalance was not evident in the following section, which concerns the means used to achieve inclusivity goals.[635]

Methods

As explored below, a number of mediation specialists express support for inclusive approaches, but have concerns about the scope of efforts to advance inclusivity, and reservations about some of the methods used, especially parallel groups, quotas for delegations, and limited consultations.

Firstly, many believe inclusivity has been diminished and reduced to questions around the involvement of women and youth (which dominate many of the responses of interviewees). Instead, it is argued that mediators should consider whether all relevant stakeholders have been included in any given process, and beyond that, possibilities for involving or engaging many different segments of society. As one specialist says:

> Well, the mediation argument, originally, the inclusivity argument, originally arose in another context. It arose in a context where people were doing partial deals. And the people who were left out rejected the deals. So, inclusivity at that point was seen as an attempt to show mediations incorporated all relevant players. It now has a quite different meaning. It now means: Have you got the women at the table, largely, and youth to some extent?[636]

In practical terms, many of the approaches, especially those relating to women, are seen as formulaic and tokenistic – intended to create the appearance of inclusivity rather than genuinely achieving inclusive processes or outcomes. Three approaches in particular are critiqued: parallel groups, quotas for delegations, and superficial consultations, which are considered further below.

Some specialists believe that parallel processes, involving a range of groups and constituencies, are an effective tool for achieving inclusivity.[637] However, interviewees critique approaches sometimes associated with UN Security Council's Resolution 1325 on women, peace and security, that seek to convene women from a conflict-affected country, identify their views and then attempt to introduce those views into Track 1 processes. As one mediation specialist says:

> The [donor] government brings in 50 Afghan women over five days, to thrash out a joint statement of what Afghan women want, which they're supposed to present to the EU envoy so he'll take that into the talks…. They're really good examples of how tokenistic the multitrack process has become, and how redundant it has become because it's not really dealing with those driving the conflict. It's going: 'Did we have women? Tick. Did we have youth? Tick. Did we ask the civil society? Tick.' Okay, good, we're done with that. Now, let's get back to the hardcore political negotiation. Well, conflicts are just not like that. And so it's like a formula that we've come up with that's very linear. It's very Western, in its thinking; it's very time-bound and there are some gatekeepers who hold on to that. And the UN has obviously been one, but I think they're getting outdated.[638]

This is echoed by others, including this expert:

> These separate women's rooms in peace processes [such as in Syria or Yemen]. Oh, my God, those kill me… [I]t's so harmful, in my opinion, so harmful, for the objective of an inclusive

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[635] There are eight block quotes in this subsection, four of which are attributable to female specialists and four to male specialists.

[636] Z325

[637] D233. "You try to create parallel tables in which you consult people and to a certain extent you go beyond just the elite [and the military]."

[638] U234

peace process. Inclusivity means sitting at the same table – that's inclusivity, not shoving them into a separate room. It's checking the box. I mean, that's not inclusivity.[639]

Other specialists point to the challenges of involving women in processes that are dominated by men, and there are widely shared concerns about the use of quotas for the proportion of women in delegations for talks. As some see it, this can jeopardise progress towards peace and is of little merit if the women selected to participate are detached from relevant communities and unable to speak freely and independently. As one specialist says:

> It is more difficult than all of the sloganisers make out. When you're dealing with two armies comprised almost 100 per cent of men, sometimes under religious leaders, who are all men, and you tell them to find women to represent them, well, you can break the possibility of the real target, which is to effect a silencing of the guns and effect a cessation of hostilities, in order to manufacture something that looks good in the report to the [UN] Security Council…. But you know, the practice in some of these mediations is that when we've put pressure on the armed groups to increase the representation of women, then the militia leaders bring their girlfriends [sic], which increases the participation, you tick the box, but the girlfriends [sic] are not linked to an agenda, they're not linked to an organisation, they're not reporting back, they're not accountable. So, one's got to be more substantive and less formalistic about what it means to have women's participation.[640]

A leading mediator in Africa argues that women often bring real concerns to a process and a genuine commitment to achieving peace – but that the formulaic approach of donors and others undermines this:

> First of all, they [women] have the demographic power. Secondly, they are very, very genuine. They're not looking for jobs. They're not looking for positions. They want peace for their families but their voices are oftentimes left out. In fact, one of my complaints is women who participate, the parties allow them because it is demanded by the funders of the peace processes, not out of conviction. I call it supply-driven. It is not demand-driven. So how can we convince them of the contribution women bring. Look at the fighters… The South Sudan peace process is only about power sharing. Who has how many vehicles? How many, you know, houses, how many offices, how many cabinet positions? It's not the issues which usually women and youth bring to the table. So, on the question of inclusivity, 200 per cent. It's been tested in many other peace processes. They have failed because of the fact that inclusivity is missing. In the question of women's participation, funders will say, you must have 30 per cent women on your teams. So, who do they bring in? They bring in women who are loyal to them, who will say exactly the same thing, who will not address the question of the conflict. So the question of inclusivity is not far-fetched at all… [I]t's a must, and absolutely necessary for the success of the peace talks and implementation and to have sustainable peace.[641]

Similar concerns are articulated about the hollowness of formulaic approaches towards the involvement of other elements of society. "I remember in Sierra Leone," recalls a state mediator, "when we were giving them the business about civil society and the need for civil society being in a negotiation. They said, 'Yes, how many civil society members do you want – 15? I've got my civil society. I'll bring them tomorrow.'"[642]

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[639] D537. A similar point is made by a UN official, P491: "In Syria, right, the civil society platforms, which, essentially, are sort of a nice ornament around the actual political dynamic."
[640] Z325
[641] A659
[642] D233

Even if processes include participants from underrepresented segments of society, who are not affiliated with existing parties, it may be mistaken to think of them as representing those parts of society in the same way as the leader of a political party or an armed group. As one practitioner says:

> When we're talking about broad diffuse constituencies, we can't really think about inclusion in terms of, you know, we've got one person representing this constituency…. If you're looking at political parties, they're relatively structured things with internal decision-making mechanisms and so on and so forth. But if you're thinking about, you know, an ethnicity or, or, or youth or women or whatever, then they're not structured entities.[643]

Separately, while interviewees applauded genuine efforts to promote inclusive national dialogue, they were critical of one-off events. One former UN Standby Team member describes a UN-facilitated "consultation" where there was little genuine interest in what participants had to say.

> Now another one which blew my mind, is the Central African Republic, where one year into the deployment of the UN, they decided that they would hold some sort of dialogue, a national dialogue – in a country where state officials have seldom gone outside of the capital to see anyone in the rest of the country. There are people who live and die in that country and don't see someone who represents the state. And so they did consultations locally, and then they decided they would do this big thing in Bangui. The big thing ended up being reduced to three days. It was in this huge auditorium. So you had, I mean, think concert room, right? You had the parterre, where the elites were sitting and all the rows where [there were] delegations that had come from the hinterland, often taking multiple weeks to get to Bangui, were seated. And basically the conversation was between the officials [and other elites] on the stage and the parterre. And the people in the back were yelling at one point: 'We didn't come all this way not to be heard.' And everyone [behind the consultation] called it a success.[644]

Implications and propositions

There is broad agreement among specialists that national and international proscription rules should be revised to protect engagement with non-state armed groups for dialogue and mediation purposes.[645] There are divergent views on the issue of inclusivity, which make it difficult to reach firm conclusions about how approaches to inclusivity should be better designed and implemented. However, it seems that there is broad-based support for the following propositions: there are major potential advantages to inclusive approaches, which can strengthen a process of dialogue and help to achieve outcomes that better serve the interests of society and are more sustainable; however, opinions vary about the impact of inclusive approaches, and there are risks, challenges and potential drawbacks which should be carefully considered and managed; inclusive approaches should encompass but go beyond women, youth and civil society; they require genuine political will to succeed, and they should focus on substantive involvement rather than tokenism or box-ticking. Mediation specialists also drew attention to related issues of sequencing, advance consultation, interim outcomes, as well as creativity and consistency, which are briefly considered further below.[646]

Some believe that inclusive approaches, if undertaken too early, could undermine progress towards peace. As one former UN envoy says, "Obviously, there's a balance there that, you know, being too

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[643] S467

[644] O717

[645] There is also a compelling case for governments to give greater consideration to the potential utility of processes of delisting: "Fit for Purpose: Rethinking Mediation and Peace Process Support in a Changing Conflict Landscape" (Buckinghamshire: Wilton Park/Foreign, Commonwealth & Development Office, 2022), paragraph 37.

[646] It is recognised that there are many other issues of importance in relation to the subject of inclusivity. The issues covered in the remainder of this section are included because they were specifically raised in the course of interviews or colloquia.

inclusive, at all stages of a peace process, risks hampering the real possibility of, in practical terms, getting to an agreement."[647] One practitioner is even more blunt: "[T]here's a real tension between the effectiveness of the negotiation and inclusivity. It's obvious. And it's true."[648] According to some, including this expert, a focus on the warring parties is especially valid in the early stages of a process:

> If you look back on the way a lot of peace processes have worked and who's involved, the inclusive thing is a bit of a new outlier. Generally, they [processes] tend to start small and build out, or they tend to have the important people in the room, the people who can really cause problems, they tend to be the ones that are included at the beginning.[649]

Practitioners emphasise that in their early stages, processes of dialogue are often extremely fragile, and can easily be derailed. They should be nurtured and expanded once the process is sufficiently robust. As one mediator says:

> [M]any of these [broader] negotiations start – most of them that I know of that are successful – start with a secret back channel. It's quite a delicate thing to manage a secret back channel. How do you develop it? How do you make sure it stays secret? How do you make sure it's a clear channel, not interfered with? That's where advisors can help.[650]

According to one UN official, "People talk a lot about South Africa as the ultimate model of an inclusive process – and that's true, but it began with several years of secret talks between one man and another couple of men."[651] Two practitioners with experience of the Colombian peace process cited that case as an example of how inclusion can be expanded as a process progresses. According to one: "[I]n terms of the Colombian peace process… incrementally there was more and more inclusion. And the mechanisms that were set up, I think they worked pretty well in terms of giving relevant actors [a] voice but still not overburden[ing] the table with too many distractions."[652] The other practitioner extols a process of "incremental participation", whereby a closed-door "secret phase", is followed by "the public phase, where the talks are still confidential, but you create mechanisms [to allow for greater inclusivity].... And then the next phase, of course, is when you get to the agreement [involving widespread participation]."[653]

There may be cases, however, where inclusive approaches, such as meaningful consultations with a cross-section of society, can be adopted in the early stages of a process. By one account, this approach helps to explain the success of the process led by Kofi Annan in Kenya in 2008. A practitioner recalls his approach:

> Anan refused to sit down with the parties until he had consulted the 'people of Kenya'. And we spent four days meeting with grassroots civil society, Nairobi-based civil society, elders, from different communities, women leaders, youth leaders, other political parties, religious leaders, the whole shebang. And they gave a very, very, very different narrative, both of the conflict and what was needed to resolve the conflict, than the political leaders did… The process that he put in place was at its heart, a pluralist process. It may not have had 12,000 people around the table, but it [was] rooted in the views of the people that he had consulted.[654]

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[647] A721
[648] S442
[649] C457
[650] T619
[651] B298
[652] A721
[653] S442
[654] C477

Given the degree to which mediation personnel, especially in the United Nations, are detached from the societies in which they operate, as noted in section 12.1, there would seem to be a powerful rationale for regularising consultations of this kind.

Some advocates of inclusivity urge consideration of ways in which processes centred around elites can lay the ground for future systems or processes which have higher levels of inclusivity. As one leading mediation specialist says: "No – inclusion is not the solution to everything. And you don't need to have an inclusive peace agreement all the time. Why should you? ... If you take the Gulf Cooperation [Council] agreement on Yemen, it was completely exclusive, but it designed a follow-up process that was very inclusive."[655] By extension the specialist argues, "[T]here's too much focus on process inclusion, rather than outcome inclusion."[656] Advancing inclusion, it is argued, would benefit from complementary work on representation, mainstreaming and outcomes, yet, "the gender people, they just don't get it… they all are only focused on representation".[657] If mediation strategies can seek to ensure robust provisions for the future protection of women's rights – and human rights – "then we achieve much more than counting".[658]

One specialist stresses the need for greater commitment, creativity and flexibility in how inclusivity is approached, as opposed to the "extremely narrow view of the way in which we pursue our values". One area of potential is to provide greater support to existing spaces of civil society dialogue and exchange, which may not be directly connected to mediation but can help prepare the ground for more inclusive peace processes.[659] The specialist also argues for consistency in the field of mediation in advancing inclusivity, in terms of how mediation teams are composed, how they operate, and consistency of effort over time. Commenting on the "civil society support rooms" that formed part of the Syria process, the specialist says there was little sense that the ideas they generated were being taken seriously:

> So a little bit like you know, when you make a grievance, and you know that the formal complaint is going to go into a dusty drawer and stay there. So there were ways in which we could have pushed some of that value agenda, by example, by not insisting on formal representation, but being more creative in the ways in which we included different voices from the society; by, for example, instead of hammering the word 'democracy', which, sadly, has become extremely perceived as Western imposition; talking about things such as pluralism. But more importantly, by being consistent with our line. And part of the problem is that we're not consistent with our lines. We push the values at some points and at other points, we ourselves are the first to bracket them.[660]

One practitioner underscores the need for consistency, both in terms of structures, policies and practices of those involved in mediation and in the substance of the work. "[Y]ou're not going to root in gender equality in any of these places without an underlying ethic of respect for diversity across the board."

In conclusion, there is a powerful rationale for inclusivity in the fullest sense: engagement with all armed actors and, by various means, with all elements of society. Some mediation specialists raise questions about the impact of inclusive processes and draw attention to the risks and challenges associated with them. Many argue for a stronger political commitment to inclusivity and more sophisticated approaches that focus on substance rather than appearance, with higher levels of creativity and consistency. As a

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[655] X753

[656] X753. S467, a practitioner, urges a greater emphasis on "how to create inclusive outcomes rather than inclusive processes. So basically, what I mean by that is deals which deliver for all segments of society."

[657] X753

[658] X753

[659] "Fit for Purpose: Rethinking Mediation and Peace Process Support in a Changing Conflict Landscape" (Buckinghamshire: Wilton Park/Foreign, Commonwealth & Development Office, 2022), paragraph 18.

[660] O717

complex issue which elicits diverse views, there seems to be a clear case for inclusivity in international mediation to benefit from further candid and constructive deliberations by experts and practitioners.

14.   PREVENTION AND IMPLEMENTATION

14.1   Neglecting prevention

Mediation specialists agree that preventing armed conflict should be an international priority. They, more than others, appreciate how easily wars can start and how difficult they are to bring to an end. Yet, there is widespread despondency if not despair about the lack of international political will to prevent armed conflict. As one former UN envoy says:

> I mean… as many books as are written on mediation, I'm sure many more are written about conflict prevention – what the hell? There are libraries on conflict prevention. Nobody does it, of course, and everybody agrees that conflict prevention is the game of the day, but it does not come to this.[661]

Prevention has been a UN preoccupation for years, at least nominally, and it has been championed by the current Secretary-General.[662] But most experts see the lion's share of UN work as responsive rather than preventative.[663] This may partly reflect the resources, capacity and attention given to the deployment of UN envoys, who are rarely mandated prior to the onset of armed conflict. As one former UN Standby Team member says:

> He [Kofi Annan] did a call across the whole UN, you know, 'who's working on conflict prevention?' And I have literally seen standing on floors, you know, metres high, all the reports from the UN system because of course, everyone claims they're working on conflict prevention…. Most of the special envoys are all post facto, usually [in a] crisis situation, actually. They're coming in so late, you know, forget the prevention. I mean, you could talk about prevention, in the sense of escalation, but they are mainly super late.[664]

A senior UN official expands on this line of argument:

> These interventions – the high-level mediation type – come in at a stage where the situation has already reached an unmanageable stage. And so you come in as a high-level mediator, you're high profile, no side wants to be seen to be weak in this kind of a situation. And so you haven't built the relationships with the individuals, your grasp of the issues, of the complexity of the conflict is probably very limited…. So not engaging – and I'm looking at this from the UN's perspective, in particular – not engaging with the conflicting parties from an early stage and building on that relationship… parachuting in at a critical moment when things have gone awry, is not going to get you the kind of trust, the kind of personal understanding of the situation and the personalities, etc, that you need to have at that point…. So you need to engage very early on, and then the groundwork would have been done… [J]ust coming in, when things have reached the climax – it actually makes you very weak.[665]

To explain this, interviewees draw attention to the lack of political commitment to prevention and a corresponding lack of resources; they highlight the perceived lack of incentives, opposition from affected states, and structural obstacles to effective action.

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[661] C495
[662] See: "Our Common Agenda Policy Brief 9: A New Agenda for Peace" (New York, NY: United Nations, 2023), pp 16-23.
[663] E.g. I415.
[664] R845
[665] C562

States and donors are seen as rarely willing to engage in prevention work, even where it might be in their own interests to do so, and the resources devoted to it are seen as commensurate with this lack of political will. "[N]obody is willing to invest in [the] prevention of conflict," says one mediator.[666] A UN Standby Team member echoes this: "[I]t's true, it's very difficult also to get resources, to get financial support, all the kind of support you usually need to do prevention."[667] This may be due to the inclination of decision makers to direct resources and capacity towards mitigating or ending ongoing violence, where the suffering and costs are evident. This contributes to the paradox, as another scholar-practitioner sees it, that "prevention" work is rarely undertaken until it's too late: "It's very, very hard to get it funded or to actually have people do it… because organisations have lots to do, they're not going to get into something until it becomes serious. And by that time, it's probably too late."[668]

This state of affairs is attributable, in part, to the absence of powerful political pressures associated with the impact and implications of large-scale violence, humanitarian imperatives and media coverage that can galvanise public opinion. Compounding this, for actors whose motivations are partly or largely reputational, there are lower incentives for funding prevention work because it is harder to demonstrate impact. Success may entail a situation apparently remaining unchanged. One senior UN official recalls the challenges of sustaining donor support for UN prevention work in Nepal:

> I used to go four times a year or something in those years…. But so you need all of these things in place if you're serious about really getting involved in a mediation process… [A]ll of this was done with, not from budgetary resources, it was all extra-budgetary money that was raised for these kinds of activities by the UN. Some people within the UN saw it as a waste of time, a luxury, 'Ah you've been travelling there for, you know, four or five years now, nothing has happened. Let's cut our losses and give up.' So you really have to invest in these things. There's no guarantee you will succeed at the end of the day. Very few processes at the end lead to a successful conclusion. But this is a difficult business… and the problem is, even when you succeed, it's difficult to show what has been achieved, what has been prevented, especially [with] prevention. So it's proving counterfactuals, this would have happened if we hadn't done this. And so your member states will decide your budget [on that basis]. Okay, they might sometimes agree with you. But oftentimes, it's not quantifiable success that you can show. Even if you don't solve the root problems, having been engaged for a long time, and having built those relationships, and being a known quantity with the parties makes you better informed, better able to influence the process.[669]

Most prevention work faces resistance from relevant states to what they see or claim to see as interference in its internal affairs, which might undermine their authority, expose misconduct or force changes of policy. As a UN envoy says:

> The biggest obstacle to prevention is sovereignty. Because if there is no sovereignty, it's easy to prevent. But more often than not, it is a state there, and attached to the state is the sovereignty. So we've [the AU and UN] tried to overcome this obstacle by inventing the concept of non-indifference…. [W]e all committed to give priority to prevention, and we have done very little prevention.[670]

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[666] A659

[667] R141

[668] C531

[669] C562

[670] N200. The principle of non-indifference is said to underpin provisions in the African Union 2002 Constitutive Act which enable the Union to intervene in the affairs of a Member State in cases of war crimes, genocide and crimes against humanity.

A former senior UN official with New York Secretariat experience underscores this, and argues governments typically want to use military force to suppress groups that might turn to violence, rather than engaging with them about the issues of contention:

> [W]e talk a good game, but we aren't doing very much on prevention. And I think there's a couple of reasons why. One is that, if you're the UN, you're operating under member state consent, and the member state is not going to give you consent to come and muck around in internal politics. You know, the member state believes that the member state can solve the problem on its own. Look at Cameroon, with the uprising [in] the Anglophone region of Cameroon [in 2017]. That was the perfect place for prevention, and the Cameroonians basically said no. The second thing is governments often want a military solution. They don't believe in the political solution; they believe they can get to a military solution.[671]

Indeed, a mediator with government experience observes that states typically only turn to negotiation when all other options have failed. "Governments again, in my experience… you try everything else first. You try the military route; try the intelligence route; you try meeting the grievances; and when it doesn't work, you eventually sit down and [negotiate]."[672]

One former UN envoy acknowledges that: "[I]f, as is usually the case, people in government are the problem, then your possibilities of prevention are very little…. [Y]ou have the sovereignty arguments coming even stronger and stronger and stronger.... So I'm very pessimistic about prevention. I really am."[673] The former envoy concedes it might be more feasible to overcome sovereignty-based objections when there is an emerging crisis that might escalate. "In a way, the more realistic objective is early crisis intervention, when at least you've reached a kind of a threshold that there's some acknowledgement that there needs to be external engagement."[674] Yet, this is far from the concept of prevention as properly understood and is perhaps better described as crisis response.

Compounding these factors, states strive to avoid any perception of weakness, instability or illegitimacy which might arise from a public discussion of risks and threats they may be facing. It is even difficult to have prevention issues discussed in the UN Security Council, the world body mandated by its Charter for the maintenance of international peace and security. As another former UN envoy concedes:

> [P]revention, early warning, are among the hardest issues to, at the Security Council, talk about. There's such a stigma to being on the Council's agenda that even if it's discussed under any other business, it's very difficult to talk about… You have to go more and more informal to have those discussions.[675]

There is wider resistance to prevention in a system which is built on the principle of state sovereignty – a principle that major powers, including the P5 members of the Security Council, want to preserve insofar as it serves their interests. A former UN envoy describes how one P5 member blocked any serious discussion of preventative action on the Central African Republic in advance of an uprising by a coalition of armed groups which seized power in 2013:

> [F]or a long time, I told them, the different members of the Security Council, that there was a need for a different type of approach towards the situation in the Central African Republic. I'm talking to you about the period at the end of 2008, '09, '10, and '11, '12. And the government

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[671] Z750. The interviewee adds this "would apply to private mediators or UN mediators".
[672] Expert colloquium, 28 October 2021.
[673] U407
[674] U407
[675] R131

was actually very much aware that there was a crisis growing, but one of the key members of the Security Council didn't want this to go beyond informal discussions on a bilateral basis.[676]

Speaking more frankly, the former senior UN official who referred to Cameroon says that Russia and China will typically block preventative action if the state concerned objects, and argues that the root of the problem is that the United Nations was not designed to tackle such issues:

> And, you know, Russia and China are going to veto any proposal, if you have a Security Council mandate for prevention, if the country involved doesn't want to be there. I mean, the problem is the UN was set up to prevent conflict between states. And when a conflict arises inside a state, the rules are much more ambiguous on what to do about that.[677]

Echoing this line of thinking, a UN Standby Team member says impediments to prevention are a function of the way the international system is structured:

> I do think the way the UN is structured, is partly, it's certainly interconnected with some of the limitations of current approaches to mediation, and to our ability to drive a more directed conflict prevention agenda within the UN system as a whole. I think the way in which the P5 protect political interests at the expense of the potentially positive impact that these things could have is an issue that can't be ignored. That same systems thinking, you've got to apply it also to the UN as a whole, and you can't separate out one part of the functioning of the UN from the rest. And so I do think that until that gets resolved, it's going to be difficult for the UN to be as effective as it could potentially be. It's a flawed structure because of that. And as such, it's limited in its capacities.[678]

Implications and propositions

Some mediation professionals see the responsibility for prevention work as lying primarily with diplomats and politicians. According to one mediator: "I think you need other people for prevention. You need a different kind of influence."[679] Some caution against assumptions about the efficacy of prevention work. Conflicts typically have deep structural drivers, which are likely to be difficult to address.[680] There is a strong rationale for collaborative work to address such drivers, says one practitioner, but "that's not necessarily a mediator's role, it could involve a mediator, but it's a very different thing".[681]

Other specialists believe the field of mediation has an important, sometimes vital, role to play in preventing armed conflict. Yet, the absence of fighting, or the avoidance of escalation, may mean that effective mediation efforts to those ends may have gone unnoticed or at least not been widely acknowledged.[682] And because effectiveness in prevention work can only be measured against the pre-existing probability of the onset or escalation of hostilities, which itself depends on an assessment of a range of factors and is usually open to interpretation, it is often difficult to reach a judgement about the role that mediation efforts have had in preventing violence.

Furthermore, the complexity of many conflicts means it is also hard to assess whether prior prevention work might have been effective. According to one scholar-practitioner, with respect to the conflict in Myanmar: "[I]t didn't have to be that way. Yeah, it could have gone another way. But they would have

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[676] C774
[677] Z750
[678] N291
[679] D233
[680] C562
[681] G574
[682] Correspondingly, some specialists call for more research in this area.

had to act differently at many different stages. And I, and I don't – okay, when I say I know, [I mean] I believe – because, of course, a lot of this, it's not like there are linear connections of causality: you do this one thing, and that happens."[683]

Yet, without any certainty of making a decisive difference, many specialists believe there is more that the field can and should do in the realm of prevention. A range of non-governmental actors – whether local, national, regional or international – play a critical role in prevention, often due to their local knowledge and presence on the ground. They may also have more operational flexibility than governmental or intergovernmental organisations. However, most interviewees who spoke to the issue of prevention, chose to address the role of the United Nations. As discussed below, they argue the United Nations should be given more political space to engage; strengthen its long-term engagement in fragile environments; ensure wider recognition of the preventative potential of development work; and help to build a wider network of institutions that are specially mandated and equipped to undertake preventative work.

Some mediation specialists argue that UN prevention work should, where possible, be disentangled from the political risks and complications of working through the UN Security Council. As one senior UN official says: "[W]hat you need, what the UN needs is space, rather than micromanagement by the Council, UN mediators need space, the Secretary-General need space for 'good offices'."[684] This is illustrated, says the official, by the case of Bolivia:

> Jean Arnault was the Personal Envoy [of the UN Secretary-General] for Bolivia and worked with the country team and electoral systems and human rights. Collectively, the UN was really helpful to Bolivians and to Bolivia not going badly off the rails between one electoral crisis and the next elections. And it was a real preventive engagement and was without a mandate, didn't have or need a mandate from the Security Council, wasn't international mediation in form. It was a sort of political preventive engagement where you had one of the UN's more skilled and experienced mediators doing really good work, but fairly, invisibly.[685]

To reinforce the impact of such work, other institutional mandates for preventative work, beyond the Secretary-General's "good offices", may need to be found. As a UN Standby Team member says:

> [T]hat would mean then tapping into the idea that the General Assembly also has the ability and the mandate itself to mandate mediation efforts. And so the Mediation Support Unit and some of the work of the Peacebuilding Support Office, and even the Peacebuilding Fund, I think could be viewed more clearly as being part of an overall mediation or part of the mediative capacities that the UN has at its fingertips, and that it has more space within that kind of mandated process to be flexible, to be adaptive, to be impartial, to use the quiet below-the-radar type of engagement, that seems to be essential to the efficacy of a mediation initiative.[686]

A substantial body of opinion argues that mediation efforts should be quietly undertaken in a range of cases that fall short of armed conflict for the purposes of acquiring a contextual understanding and building relationships. They could try to change the way parties think about their differences, and bring about more constructive relations. According to one scholar-practitioner, mediators can help adversaries ask themselves: "Can we visualise a different relationship?.... What would that look like? What would it take to get us there?"[687]

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[683] R845. Notwithstanding these remarks the interviewee adds: "But there's so much that could have been done that could have changed that course [in Myanmar]."
[684] F436
[685] F436
[686] N291
[687] G574

Early engagement would mean that mediators would be better placed to act should conflict erupt in due course. Many look to the United Nations for this kind of sustained engagement. (It might not be described as mediation, partly because it would diverge from a narrow interpretation of mediation as facilitating negotiations, and partly due to political sensitivities around the use of the term. As noted, governments typically think their involvement in any kind of mediation effort conveys weakness when they want to project strength.) However, in general terms the United Nations is seen as falling short in this respect. As a former UN envoy says:

> If we're looking at the [UN] there isn't the bandwidth there to follow situations that seem reasonably quiet, and I think that is a problem for mediation. When things blow up again, there is no continuity of effort. There's no periodic updating or revisiting of strategies, there's not necessarily a lot of early warning.[688]

Another former UN envoy underscores "the importance of early engagement – that we're not even calling mediation and doesn't have a profile", and explains the rationale as follows:

> [T]he eventual prospects for success of mediation when you get to that are much greater if you've built up the understanding of the parties and so on, through a period of prior engagement. So I think too often because the country and regional coverage is so weak in the UN – boom! Suddenly it's the arrival of a big mediator and putting together a team, rather than something that flows out of a period of informed, confidence-building engagement.[689]

Yet, UN officials say effort has been put into "helping the national [and regional] offices to have a better capacity for conflict analysis and prevention".[690] The United Nations has also established systems for situations of concern to be quickly reported to senior staff, says a UN expert: "I think this SG [UN Secretary-General] has done a good job of making the system more reactive to early warning threats, the Executive Committee, Deputies Committee [both comprising the UN's senior leaders who meet regularly], the direct line of Resident coordinators into the SG."[691] Specialists, including this UN official, also draw attention to work that is being undertaken by the United Nations outside of the domain of political affairs: "I think the work on prevention is interesting. It's not the international mediation you're looking at, but what the regional offices are able to do with very broad mandates."[692] Initiatives in a range of areas, it is argued, especially in peacebuilding and development, can be effective for the purposes of prevention.[693] As one UN Standby Team member says:

> [P]art of the issue is that we tend to protect mediation processes and mediation almost as if it's a standalone field that is not connected to the other tools that are involved in the broader field of peacebuilding…. [I]n some contexts, the UN through the Office of the Resident Coordinator [who is responsible for the UN's development work in a UN mission] also begins to play a mediation role, in the sense that they're reaching out to parties, they're establishing solid relationships, they're identifying where the fragilities are, where the vulnerabilities are, they're trying to initiate programmes that address those issues. Now, that's not classic mediation. But it's still in some ways, a recognition that mediation is below the radar in a quiet, informal kind of way. And that is often where the most effective mediation takes place because I think it opens up

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[688] R131

[689] U407

[690] R141

[691] K632

[692] F436

[693] The UN's Pact for the Future, of September 2024, calls for the UN's Peacebuilding Commission to play a greater role in strengthening the contribution of peacebuilding and development initiatives to prevention: "Summit of the Future Outcome Documents – Pact for the Future, Global Digital Compact and Declaration on Future Generations" (New York, NY: United Nations, 2024), p 16.

some opportunities for us also then to begin to recognise that the conflict prevention agenda goes much further than just a response to an escalated crisis, which has already reached the point where it's very difficult to bring parties to some kind of agreed resolution. And I also think it's important because in some ways it allows mediators to operate within a much broader mandate than is available when there's a very formal process that's already attached to Security Council interests…. [And that can work to] the detriment of the ability of the mediator to operate effectively.[694]

In practical terms, this approach requires a recognition on the part of the UN DPPA and the United Nations Development Program (UNDP), the UN's main development arm, of the potential political nature and impact of some of UNDP's work, and the value of collaboration between the two.[695] Some question the impact that collaboration has on effectiveness in prevention work.[696] But Ecuador was cited by a UN expert as a positive case: "[T]he Resident Coordinator there actually ended up mediating some of the social conflict that threatened to destabilise Ecuador completely… with a full backing and support of DPPA."[697] The appointment of Peace and Development Advisors, who are often attached to the Resident Coordinator's office, is seen as a step towards bridging the gap between development and political work. The gap could also be closed, it is argued, by widening the scope of frameworks for the evaluation of development work, such that they better capture its political impact – and by extension its potential to contribute to the prevention of armed conflict.[698]

Some specialists draw attention to the role that regional organisations can play in prevention work. Their proximity, and the risks that they could suffer from transnational spillover effects, gives regional organisations a rationale to overcome a host government's resistance to prevention work on the basis that it would infringe national sovereignty. But, as a former UN envoy observes, this proximity can compromise their perceived legitimacy: "[I]t's bedevilled by the kind of classic dilemma that member states are only interested if they [the states] have some interests, but the interests they have make them less than impartial actors."[699]

Arguably, this drawback can be overcome through the establishment of networks of entities with explicit prevention mandates, and corresponding capacity and resources. According to one scholar-practitioner:

> [I]n the absence of standing structures – that it's somebody's job to do this work – then we are condemned to perpetually being late. There was a great quote from Lord David Hannay from the [High-level Panel on] Threats, Challenges and Change; he said, 'We're always late, hesitant and inadequate'. You know, that sums it up. We're always bloody late, hesitant, and inadequate. You know, what the hell's going on in Myanmar right now? So yeah, that means you must have standing institutional structures that are not only properly mandated in terms of a general mandate, but are then equipped with professional staff, meaning properly trained, you know, qualified, the competency point… and resourced… [which] needs to happen at a global level, not only at the UN, but at the regional organisations and sub-regional organisations, and even within

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[694] N291

[695] N291: "The recognition that UNDP and DPPA can't be operating in complete isolation from each other is an important recognition, I think of the political side of developmental initiatives. And the idea that UNDP, which has a far broader presence on the ground in countries across the globe has within it both the imperative and the potential to recognise more clearly the political nature and the political impact of its developmental programs. And [I think] that that should be recognised by DPPA; and that UNDP needs to be sensitive to the political impact that its developmental initiatives are having."

[696] K632: "I could find no evidence that having frequent collaboration with the country team… made any difference [to prevention], as a set of activities."

[697] N291

[698] N291. "We're still applying classic developmental frameworks for evaluating the impact of initiatives to initiatives that are not necessarily developmental in nature."

[699] U407

governmental offices, but particularly the inter-governmental, you need to have a plethora of these standing institutional bodies, and we kind of have them in some degree now.[700]

Such bodies, argues one practitioner, need to develop strong, long-term connections to local groups and support them with resources.[701] The knowledge of local actors makes them well-placed to warn about future risks of violence, and to help avert such contingencies:

> I think by supporting these [local] groups by empowering them [and]… insider mediators in country… their incredible insights into their own communities, and those dynamics, we might be able to then do a better job at prevention. But again, this is all about creating that trust with our local partners, and being able to keep that channel of communication open…. [I]t's about sustained engagement over time in some of these countries, especially coming out of conflict, or at risk of falling back into conflict.[702]

Finally, a small number of mediation specialists argue that it is misguided to draw a distinction between prevention work that precedes the onset of violence, and that which accompanies the implementation of a peace agreement. Rather, as one scholar-practitioner says, prevention work is required the moment the agreement is signed:

> You know, it's among the greatest of paradoxes that prevention is often seen as something that only precedes the potential severe escalation of violence. Actually, prevention is immediately present, as soon as the ink is dry on a peace accord. Because everything that the accord is promoting are [sic] measures that help to de-escalate and prevent things, but at every moment, it has the potential of going back [to armed conflict], so you're in a mode that requires the constancy of this adaptability and support and alternatives and developing different ways of interpreting events that emerge so that people don't split off and fragment, you know, so it's a very odd thing that we think of prevention as prior to, when in fact, it's equally the case that 'just after' is the 'prior to' of the next round.[703]

Wider acceptance of this approach could perhaps bolster the impetus for incorporating prevention principles and practices into mainstream mediation work and indeed in related fields of professional activity.

14.2 Neglect and misconception of implementation

Section 13.1 above explored concerns that in too many processes priority was given to securing a peace agreement over building relationships. Indeed, peace agreements are sometimes equated with peace, but as one former UN envoy says: "[A] signature is just a commitment to implement what we have agreed on. That's not peace. That's an agreement to implement, so we can get peace."[704] As one practitioner puts it: "[P]eace agreements [per se] have not produced peace."[705]

Peace agreements are hugely significant in that they may signify a willingness by parties to refrain from the use of force in pursuit of political goals. But that restraint is predicated or conditioned on the fulfilment of reciprocal commitments. If those commitments are not fulfilled – if what is agreed is not implemented – this can undermine the parties' willingness to desist from violence, therefore jeopardising the agreement as a whole. Furthermore, agreements in and of themselves do nothing to address the

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[700] R845
[701] E527
[702] E527
[703] B905
[704] C261
[705] X753

causes of the conflict. They are, as previously discussed, statements of intent. As one UN envoy explains:

> Usually, the agreement gives [the parties] a framework for addressing the other problems… So, like in Mali, [the conflict] is deeply rooted in the problem of economic marginalisation, lack of governance, the army sector reform. No mediator can solve all these problems during the facilitation; you take them to Algiers, they agree, but the agreement is the way forward. The government should take each of the components of the agreement and try to implement it. The same thing on the agreement of Darfur…. So [in these cases] it has to do with the way the government implements the agreement. If it fails to implement the agreement, then [it's] back to square one.[706]

Yet, achieving an agreement is such a struggle, notes one practitioner, that the parties usually neglect questions of implementation:

> It is a fact of life that parties to a negotiation will end up spending so much time and energy trying to get to the agreement that they will inevitably… neglect adequate preparations [for implementation]. And even though they will pay lip service to sustainability, and all kinds of other things – actually, that whole thing will play second fiddle to getting there.[707]

Internationals, too, tend to focus on securing a peace agreement between the conflict parties, and neglect implementation. One practitioner compares the signing of an agreement to surgery without a plan for postoperative treatment and recovery:

> There's no focus on what happens after the table, beyond the table: what happens after the grey-haired man goes back home. It's all about, well, let's make sure that this is working and he's going to deliver, and everything is going to be great. It's a bit like having a cancer patient and just having the surgeon, you know, knowing how to get out the tumour, but then the post-operative [treatment], the whole psychological support, the chemotherapy, all of that – that doesn't happen. There's no plan for it. We just bet on one thing; we focus only on one thing.[708]

Thus, after an agreement has been signed, international interest, effort and resources quickly dissipate, in what is sometimes referred to as the "implementation" period. According to one mediator: "[W]hat I see is usually an agreement has been reached, signed, sealed; and champagne; pat one another's back; laugh. Everybody disappears."[709] One practitioner recalls exactly this happening in Libya:

> [W]hen you're in a context where there's been some kind of deal agreed ostensibly, and everyone sort of just vanishes immediately afterwards. And so you do get this feeling of being kind of dropped, you know. Within Libya, when they signed the Skhirat agreement [the Libyan Political Agreement signed in December 2015], and we had all these thirty special envoys, I can't remember the exact numbers, but every state had a special envoy, and then a few weeks later, you know, they'd all moved on to doing something else.[710]

Another mediator recalls revisiting agreements to cut them back according to the limited resources available, and the harmful impact this has on the parties: "It's the situation of: 'We would have liked to do this. We're probably going to have to do that.' And that strains the parties. It hits them like a slap in the face."[711] Speaking of the phrase 'peace dividend', a UN envoy says, "I cannot hear it anymore, it

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[706] N200
[707] S442
[708] F705
[709] A659
[710] S467
[711] D233

never comes. But we always use it. Why do we promise a peace dividend in terms of 'the health system will work, schools will work, you will have accountability, a rule of law system, blah blah'? And we know it will not come."[712] Practitioners also decry resource deficits: "[S]ome of these agreements… they look great on paper, but there's nothing there to support their actual implementation."[713]

Contrary to general understanding, many mediation specialists see "implementation" as being equally if not more challenging than negotiations to secure an agreement. "[P]eople think they're at the finishing line, says a mediator. "It's the starting line."[714] Another mediator concurs:

> I knew from experience in the African Union and the OAU [Organisation of African Unity], it's very difficult to get an agreement, but it's more difficult to implement it. I always remember the Lusaka peace accord [involving Angola and South Africa]. Having an agreement was quite easy, but the implementation process of the Lusaka process [was difficult], like the Ethiopia-Eritrea agreement, like many other agreements – Liberia, Sierra Leone – many, many accords.[715]

Mediation specialists draw attention to the twin challenges posed by mistrustful and adversarial mindsets and weak institutional capacity. According to this scholar-practitioner:

> What's so striking is how, in some ways, I think reaching peace is much more difficult than reaching a peace deal, and that the implementation part is a real problem…. [Y]ou may get a substantive agreement, but the more there's lack of trust, or lack of institutional mechanisms to implement things, the more likely either the peace accord won't be implemented, and you also won't achieve peace. What you will get, it may be a cold peace, but you're not going to get the kind of changes that you wanted.[716]

To add to that, international mechanisms to support implementation are not widely seen as reliable or effective.[717] And, as a former UN envoy says, it is paradoxically precisely when the parties are under greatest pressure, and facing resistance to the agreement from all sides, that overall levels of engagement and assistance subside:

> So the implementation process is so much, much more difficult and so much more challenging [than negotiations]. And yet, the international community isn't there. They're there with either a partly dysfunctional peacekeeping operation or with bunches of aid, which is now, by the way, being reduced as well. I mean, what is this? Do they think the agreement is not going to be hard to implement? It will be much worse than negotiations. So these contact groups and the friends, and so on, they just dwindle away once the agreement is there.[718]

This neglect of implementation is widely seen as a major reason so many conflicts revert to violence after the signing of a peace agreement.[719] As one UN envoy says: "[T]he means of implementation of agreements are also sometimes the burial ground of these peace agreements."[720]

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[712] C495

[713] E527

[714] D233

[715] N200

[716] C531

[717] C261. "So, as you know, the mechanisms to support the implementation of peace processes are very poor, right…. They don't support peace processes, and their implementation properly, they don't."

[718] C261

[719] See section 1 above.

[720] J403

Implications and propositions

Overwhelmingly, mediation specialists believe that far more energy and attention should be given to implementation. If conflict parties are able to reach agreement on certain issues during the course of a political process, then implementation need not wait until the signing of a far-reaching peace agreement. One practitioner describes how in Mozambique "we actually started implementing what was the eventual agreement, and we implemented 60 per cent of it before they even signed".[721] However, in most cases the bulk of implementation work will follow the signing of a peace agreement, and many specialists believe mediation support should be sustained for a substantial period beyond that point. One former UN envoy says:

> I came to feel very strongly that mediation shouldn't be conceived just as the person who appears in between the two parties as they sign the peace agreement. Mediation is a continuous process. And there's a long slow build-up to that… if it's going to be successful. And then there's continuous mediation as you try to hold things together, to implement it. So I tend to resist [the idea of] 'kings of peace' or whatever. That's not the way one should conceive it. I think you really have to think about a process that has different stages, and [mediation] probably has different roles in it as well.[722]

Some specialists argue that it might be a suitable juncture for new mediation teams to be brought in. As one mediator says: "So, it's not as if it's a [clean] break and you say, 'Okay, it's implementation. Goodbye – have fun!' But just to say new blood has to be brought in, a new insight has to be looked at [a new perspective taken]."[723] Others, such as this scholar-practitioner, argue that the knowledge and relationships that mediation teams have acquired over time means that at least some of them should remain on the ground:

> The UN and NGOs need to really continue long-term involvement… Mediators need to hang in there because if they built the relationship and they know all the parties, if there are glitches in the implementation, you need to have some mechanism to correct that…. There has to be some way that you hang in there with them…. I don't think they could just hand it off to UNDP and say, 'Okay, we've now moved through the peace process. Now we're working through the peacebuilding process.'[724]

One experienced practitioner argues for greater efforts to strengthen local mediation capacities: "[W]e need to have a continual mechanism, maybe even investing in domestic mediation systems… because peace processes will take a generation – if not two, or three…. So if we're creating peace agreements, we need to make sure that there are local institutions that can carry that peace."[725]

Whether there is continuity or change in mediation personnel, it is crucial, says one mediator, to avoid a mediation vacuum.[726] To expand, there are at least six interrelated reasons for a sustained mediation presence, some of which bear resemblance to issues discussed in the section on the prioritisation of agreements over relationships.

First, a sustained mediation presence can help maintain international political support for an agreement and commensurate support in resourcing, which, as indicated above, are critical to an agreement's

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[721] Expert colloquium, 28 October 2021.
[722] U407
[723] D233
[724] C531
[725] F183
[726] A659: "If it's not that particular mediator, then bringing somebody in immediately to take over, so there's no vacuum left."

survival. External mediation teams may be better connected to international political and diplomatic networks. They may also have greater traction with donors or even direct access to resources.

Second, mediators can assist the parties in interpreting the agreement, and, drawing on comparative experience and technical expertise, to advise on and help enable implementation. As one African mediator reflects:

> You see implementation, at this stage, the point that an agreement has been signed, it still needs interpretation to be implemented. And people read it differently. And usually the parties are left on their own. And then you don't see any progress. You arrive at a point that [sic] the agreement collapses, [and] the country could easily go back to war.[727]

Third, as discussed in section 13.1, mediators can maintain stable and constructive relations between the parties and encourage and support their continued commitment to the agreement. As noted, peace agreements in intrastate conflicts typically require significant levels of interaction, cooperation and collaboration between former adversaries, in a wide range of areas, which can strain fragile relationships. To add to this, the parties often come under immense pressure from their respective constituencies, who may criticise arrangements reached by way of compromise as not serving their interests and conceding too much to perceived adversaries. Effective implementation, in the absence of strong relationships, is implausible. As a former UN envoy says:

> [T]he implementation of the peace agreement is absolutely critical and if you think that the painful compromises that took such a long time, and so much sweat to negotiate during the time of the talks, if you think that those are going to be implemented without those relationships being stronger and they build confidence, then forget it. They're not going to be implemented. So that's another argument why the relationships are so important, because if they're not at least significantly improved during the time of the negotiations, there's no way that they can manage this; they will be all alone. And if there's one thing that happens to everyone after the agreement has been signed on both sides, they're going to be very lonely – meaning, the ones that did the talks, signed, will be faced with so much flak, both sides, and they will be so alone. And if they don't have a proper structure to support them, it's very likely it's going to go wrong.[728]

Fourth, related to this point and as described elsewhere in this study, the parties may need help to manage powerful individuals or groups, sometimes referred to as spoilers, who not only object to the agreement but who seek to undermine and overturn it.[729] As the former UN envoy explains:

> And as we all know, not everyone has been at the table, so all the spoilers pop up immediately after the signing has happened; many of them have been there before, but many, many more will come, and all those that were excluded, that were insulted, those who see their interests being threatened, all of them will come and make trouble in that post-signing process.[730]

Mediators have developed a range of strategies for managing actors who engage in spoiling, which are designed according to the nature of the actor and their motivations, ranging from exclusion and containment to inclusion and conciliation, and which may involve the application of incentives and disincentives. Developing and implementing such strategies may be crucial for sustaining the peace.

Fifth, a continued mediation presence can provide support to multi-level efforts to overcome mistrust, promote reconciliation and build or rebuild relationships between leaders, former combatants and

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[727] A659
[728] C261
[729] See the footnote in section 13.5, above, for an account of why the term spoiler is oversimplistic and misleading.
[730] C261

communities on all sides. Indeed, it would be naïve to assume that fears, enmities and grievances between groups involved in conflict could quickly dissipate, especially after protracted periods of violence, loss, suffering and trauma, simply because their leaders have signed a document.[731] One expert in reconciliation and former member of the UN Standby Team argues the scale of the reconciliation challenge is widely underestimated:

> [A] problem I had in Northern Ireland, was people have this Disney image of reconciliation, instead of seeing it as a rugged place, where people actually are struggling with each other, but without fighting – that is the reconciliation process. So that needs to be built more into peace agreements and the discussions of mediation… Because if people don't feel the face up to the demands that the peace agreement is going to make, then that undermines the sustainability of that peace agreement.[732]

Much of this work may be advanced by practitioners who are skilled in peacebuilding, reconciliation, transitions, or systems transformation across a range of sectors.[733] But the continuing involvement of mediation specialists who are knowledgeable of the conflict and have established networks of trusted relationships, may constitute an important element of such efforts.

Sixth, and most obviously, mediators can mediate disputes between the parties – and in some cases, help resolve disputes between different groups or factions within one of the parties.[734] Troubled relationships, intergroup rivalries and internal differences persist for years after the signing of a peace accord. Serious disagreements can arise over the means and modalities of implementation – or even the substance of the agreement. A former UN envoy argues, "[I]n terms of agreements, we… know that they are constantly renegotiated once they're signed." Disputes also arise in relation to issues that are not related to the agreement. In this sense negotiations between the parties continue, and therefore so does the need for negotiation and mediation support in one form or another.[735] One mediator exhorts such a long-term approach:

> In Northern Ireland we got to agreements in '98. And there wasn't just us – there was [UK Prime Minister] John Major before that – after it took us nine years to get institutions up and running. Even after that there was a lot more negotiation that had to happen. People need to look at negotiation more as a permanent thing, not just a short-term thing where you go in, sort the problem out, and then it's all fine. That isn't the way it works. Peacebuilding [and] peacemaking are much more integrated than people think, and part of that's implementation. People really need to think, right at the beginning, about implementing the agreements, because too often what happens is people come to an agreement, like the Oslo Accords, no one does anything about implementing them, [and] they all collapse.[736]

These factors, it is argued, point to the need for international policymakers and mediators to ensure that sustainability is a central consideration in the design of any mediation process and during the course of negotiations. They should consider arrangements that provide for some form of continual engagement that reflects the non-linear trajectory of fragile and divided societies. It should be multi-skilled, adaptive and configured according to the nature of the context and the challenges.[737] One mediator noted that it

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[731] A659. As one mediator says: "I think mediators should remain on the ground, [with] scaled-down staff, to be part and parcel of the implementation of the agreement. I [also] think a mediator's terms of reference changes to reconciliation, or trust building among the parties."

[732] B118

[733] Z382

[734] Scholar-practitioner, expert colloquium, 14 October 2021.

[735] Expert colloquium, 28 October 2021.

[736] T619

[737] Another reason for a continued mediation presence, argued one mediation expert, is to help a party transform itself from an armed actor into a political party or social movement (although not all mediation professionals would

was with this in mind that the UN's Independent High-Level Panel on Peace Operations (HIPPO) argued for "light mission support" – a level of presence somewhere between a mission and UN country team, with requisite expertise – but that the United Nations had yet to put this into practice with sufficient focus, strength or consistency.[738] According to the mediator:

> The international community hasn't put a process in place for the same level of political engagement that brought them to the agreement. You need that similar strength of accompaniment, if I can use that term. You need that in the post-agreement process, because that's when the painful compromises are to be implemented.[739]

The factors outlined above also point to a different way of thinking about peacemaking. Section 13.1 described how agreements may be inflection points, but they do not represent or effect a wholesale transformation of the relations between former belligerents. As one scholar-practitioner observes, referring to Clausewitz's famous dictum, "[War] is a continuation of politics. Well, peace is also a continuation of politics and it's usually the same politics, the same politicians. With rare cases, do they have a real change of heart; they may have a change of strategy."[740] The widely accepted mediation paradigm seems to have overstated the transformational power of the peace agreement, and underestimated the power of deep-rooted conflict dynamics.[741] As one UN Standby Team member says:

> The problem is that because we separate the mediation process out from both its context and from the dynamics that came before and that will inevitably arise afterwards, we tend to almost undermine the ability of that process to be effective, because we've separated it out. We've got a lovely process, cutting edge, good practice, expertise from the global pool of experts. It's a fantastic process. But the outcome isn't linked to what's going to happen next, and so it loses a lot of its potential.[742]

Building on this critique, some mediation professionals challenge the linear conception of sequencing, whereby a mediator steers or guides the parties through successive phases of confidence building, pre-negotiations, negotiations, and, as one practitioner puts it, "[W]e churn out a peace agreement and then we move into an implementation phase, and we do DDR [disarmament, demobilisation and reintegration], and then it's all done, and thank you very much, and we all go home."[743] The complexity of contemporary conflicts, it is argued, renders this approach anachronistic, out of touch with realities on the ground and unfit for purpose. As one scholar and practitioner says:

> [The] paradigm that needs to be changed is the linearity of the beast. So that you basically come in, whoever, and the objective is kind of a deal. Then there is the implementation of the deal. And then there is heaven on earth…. I think a fundamental problem is that the reality [of] what the mediation community does is working with a theory of change that's not grounded in evidence… if you see it from a broader perspective of political change, and political transitions…. [F]or me, it's a series of change processes that go forwards and backwards, forwards and backwards. It's not linear…. [What is needed is] a forward-looking mediation perspective, that includes the outcome level…. So that is a strategic, different way of seeing

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have the skills or experience to do this) – expert colloquium, 22 November 2021; see: Matt Waldman, "Falling Short: Exploring Mediation Effectiveness" (Stockholm: Folke Bernadotte Academy, 2022) p 21.

[738] C261 – "Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people", A/70/95 S/2015/446, Paragraph 76.

[739] C261

[740] W659

[741] D537. "It makes this idea of a one deal approach [seem] much easier to implement, to factor, to design, to see through its components [rather] than in multiple tiers, you know, that tracks the conflict trajectory, as it changes over time."

[742] N291

[743] U234

what my role as a mediator is. And also, that means I have to look into the future. And the future is – it's not just this [expletive] agreement.[744]

Consistent with this, one scholar-practitioner challenges the ubiquitous use of the expression "post-conflict" to describe a period after the signing of an agreement:

> So the early wave is the prevention, and then the pre-negotiation, and then, you know, negotiation, and then the accord, and then often what's referred to as post-conflict, which I think was a huge misnomer. It's never post-conflict; it's post-accord settings, in which conflict still remains a massive part of everything you're dealing with. But it's this up and then down. And it's not actually a cycle. It's a line in time.[745]

The UN Standby Team member also challenges linear and sequential thinking, and argues for a major shift in the way the field conceptualises its theory of change, not just in implementation but at all stages of engagement:

> [S]ystems thinking and the ability to understand nonlinear cause and effect relationships between the dynamic elements in a context is essential, and is totally in line with the same type of thinking about timeframes and about conflict prevention. And I think that is what is often missing. And I do think that people still have a cause-and-effect type way of thinking about their own interventions. If we do this, it will have this effect. It comes from logframes and from military-style thinking around how you plan. I think it really does come back to the idea of the logframe and that you can have objectives, inputs, outputs and end results. And in reality, it often isn't like that, because it's just too interconnected and too dynamic… What you're doing through an intervention is you're introducing a new dynamic into a conflict system. And you're then observing to see how it impacts on that system. And then you're adapting in response to the changes that emerge after your intervention, not even necessarily as a result of your intervention. Because there might be other stronger factors that have actually made your intervention absolutely irrelevant. But that doesn't mean you don't still have to analyse, adapt, and re-strategise in terms of what it is you're going to do next.[746]

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[744] X753
[745] B905
[746] N291

15. Learning and development

15.1 Inadequate professional learning and development

Opinion varies about the degree to which mediation is predominantly "art or science", which tends to correlate with assumptions about the degree to which mediation can be learned or not. Some specialists, such as this interviewee, say that "some people try to make it sound like a science; that you have to have, you know, a trained mediator. All of those things [trainings] would help. But at the end of the day, it's more an art… It's really a capacity that, of course, you can build, but sometimes, you know, either you have it or you don't… particularly at the high level."[747] Others take a different view. As one expert puts it, "[M]ediation is primarily a skill rather than an art, although there may be artistic, talent-based elements in it. But it's primarily a practice that has to be learned and experienced."[748]

Arguably, the art–science binary is an oversimplification: scientific work may benefit from natural aptitude just as proficiency in the arts benefits from tuition and training. In any event, both innate qualities and learned skills and techniques are widely recognised as important for mediation effectiveness.[749] As one UN envoy says: "The qualification [to mediate] is important; yes, we didn't always have the qualified people; in some cases, people have no qualification [but are effective]; when they had the qualification, they didn't have the disposition – the human disposition – because mediation is a technique, but it is an art at the same time."[750]

In broad terms, it is quite widely accepted that knowledge, training and practice are symbiotic. As the UN envoy says: "You understand life is a combination of theory and practice…. [Training] gives you some tools, so at the end of the day, it becomes part of you…. [I]n my view, theory is one domain, and the practice is another domain, that are interrelated. Each of them is feeding the other."[751]

High-quality mediation courses and trainings have been developed over recent years, including at universities that run postgraduate degrees. However, interviewees generally consider training courses provided to mediation practitioners as being of variable quality, utility and impact. The content of mediation teaching and training is seen by some as missing the complexity, ambiguity and disorder of contemporary conflict. "So that's in my view, the problem," says one practitioner, "we are not preparing people for the reality."[752] Others see training as too focused on technical and process issues, as opposed to how to manage the complex field of human psychology, behaviour and relationships.[753] As one scholar-practitioner says:

> [T]he easiest way to understand training is to reduce it to tools and skills that are mostly taken on as some process and that become pretty much disembodied; you know, you're credentialing by mastering something that is an intellectual process, when 90 per cent of what you're dealing with is in the field of human relationships and the emotional world. And so it's a question of how you might think about mediation in the similar bent that you might think about medicine as mind, body, and spirit…. So [if] mediation is: have briefcase, will travel, and you fill that briefcase

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[747] C562

[748] I603

[749] F301. "Mediation is both a science and an art. It's a science in the sense that there are principles and approaches that you can learn about on the basis of previous, different experiences, and it's theorised… but a lot depends on the personality of the mediation person."

[750] N200: This interviewee continues: "So there's the technique part of it and there is the art part of it, in addition to the qualification, say, there is a combination of a qualification and disposition, a special disposition."

[751] N200

[752] X753

[753] R545. One practitioner, U673, describes their reaction to the content of one of the most established high-level courses: "When I looked at all the course material… I was like, 'Oh, good grief – no, it's not practical.'"

only with technical tools, I think we may replicate mediocrity in a very different form…. [We're] asking the question, what does it take to nurture humility? To nurture the patience that listening will take? You know, that doesn't easily fit into a curriculum.[754]

The pedagogy of some courses is seen as too didactic and insufficiently related to effectiveness. One interviewee says the UN's "gender trainings… are completely useless. Because what we're doing is we're basically taking an enormous hammer and pounding on the head of participants, as opposed to also showing them how they can instrumentally, strategically use the norms to increase efficiency [and effectiveness]."[755] Others challenge the lack of openness around the content or methodology of some training courses, especially for senior mediators. In the minds of some experts, this hampers cross-fertilisation and wider professional development.[756]

A plurality of specialists underscore the value of skills-based training and argue for more effective continuing education and support, including bespoke coaching and mentoring at the highest levels.[757] They question the utility of short, infrequent, one-off events rather than sustained support. As a scholar-practitioner says:

> There's no reason even to invest in much training, if this is all so shallow, kind of passing [events]… Because in my experience, almost always, we're doing briefings, we're not training; we're [running] short meetings for a few days; you're lucky if you get a week…. And the training to me is not just about building up professionalism, it's also about [what's] applied, you know, taking research and lessons learned, and on an ongoing evaluative process.[758]

Notwithstanding these concerns, many believe the duration and regularity of courses undertaken is insufficient, the breadth of participation is limited, and that it tends to be undervalued. A former UN expert says of trainings: "I think they're essential. They're not taken seriously."[759] A number of specialists believe that a range of personnel in regional and international intergovernmental organisations should undergo mediation training as part of their professional development. Analogies are drawn with the way that diplomatic training is required by foreign ministries, or the way lawyers are expected to undertake pupillages or training contracts early in their careers. "I do think that there is value in having people who have at least fundamentals of mediation," says the former UN expert, "[T]rainings are important, particularly in international or regional organisations, to have at least some sort of common understanding of what we're doing."[760] Such training, says a member of the UN Standby Team, should be rolled out not only to those in the political side of missions but those engaged in many other activities:

> I think it would be naive to think that a better peacekeeping mission can operate without, at times, needing to negotiate and mediate between the groups that it has an impact on and that it comes into contact with…. And I think part of the issue is that there's this division in most missions between political affairs and civil affairs. And that, to me, doesn't make any sense. Often the civil affairs people are the ones that end up doing the actual communicating and the engagement with the leaders of warring factions, or the disgruntled head of a tribal authority in a community that's being affected or whatever it is.[761]

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[754] B905

[755] O717

[756] R845: "It's still to this day secret, what the special envoys get, you know, on their one and their two-day retreat each year, it's all so secret; it's bizarre."

[757] For example, L644 – a practitioner.

[758] R845

[759] O717

[760] O717

[761] N291

Implications and propositions

Renewed efforts should be made to ensure that the content of mediation training courses is relevant and useful and reflects real-world conditions and challenges. Courses should require active participation through varied activities, including peer exchanges and collaboration, and look to stimulate self-reflection, self-assessment and critical thinking. They should address the human dimensions of mediation, including emotions – sometimes misleadingly described as "soft skills" or "micro-skills" – as much as technical or process considerations. Priority should be given to learning cycles, rather than one-off events, with periodic elements of learning, application in practice, reflection, consolidation and development. Multimodal approaches with a range of inputs should be adopted to sustain interest.[762] At senior levels, support should be personalised and flexible, including through coaching and expert support, to meet professional needs. Elementary courses in mediation should be provided to professionals in fields of international practice that are related to mediation.

15.2   Weak organisational learning

The mediation field in general is considered to have weak or inadequate systems, protocols and procedures in order to learn from its own experience. This critique is often applied to states that engage in mediation work.[763] However, the United Nations is seen by experts as especially deficient in this respect. The organisation is not seen as having an adequate system for the rigorous debriefing of personnel, recording of institutional experience (whether considered success or failure), analysis of this experience, and the identification of what, if anything, could be learned from it. This, as one expert says, would enable adaptation and improvement, and "cross-learning":

> [I]t's not a system that learns. It is not a system that's able to learn from its own successes and mistakes… You know, it's doing these things but not learning from them in any systemic way, so that the UN can get better at what it does.... There's very little cross-learning [between teams working on different files]… So that's a huge structural problem.[764]

This is attributed in part to practical demands on time and resources. It is also attributed to concerns that such initiatives would bring to light flaws or deficiencies that would attract wider criticism, and that that could undermine institutional priorities such as generating funds or securing political support. As this scholar expatiates:

> [T]here are two good reasons why they don't have it. One is just resources and time, because there are so many demands, their mandate has shifted, and there are so many demands on what they're supposed to do and what they're held accountable for. But there is also a defensiveness, you know, when you're trying to champion a cause, you don't take the time– This is true with all activists, they don't take the time to ask themselves the difficult questions. Because you're trying to mobilise people, you're trying to secure resources from the [United] States and you're trying to, you know, look as good as you can. And it's a very defensive posture. As you know, even the climate of these organisations, including the World Bank, but the UN too, is a very preventative climate. It's like, 'What can we do and not get in trouble?' … That's the first course of action, you know, the first decision point. And it's not ideally, 'What are we doing?' It's like, 'How do we avoid getting in trouble?' So that kind of prevention mentality, defensiveness… I mean, talk to activists… and they say, 'You know, we never question our assumptions. We never question our method. We don't actually, because [we're] trying to get people to fight.' And if you do that,

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[762] Not only workshops but other vehicles of content such as coursework, articles, books, lectures and videos.
[763] H578, with respect to the United States: "I don't think there's enough money and focus on why things worked or didn't work. Part of it's political, part of it's vanity: Presidents don't want to be reminded of their predecessors. But you need to learn from those things. And I don't think there's much of a structured effort to do that."
[764] S590

it starts to introduce doubt… It's core to this culture, and these institutional factors [which helps to explain] their incapacity to learn to be more effective.[765]

Interviewees also attribute UN reluctance to learn from its own and others' experience due to the institutional culture of the DPPA. As one scholar-practitioner observes:

So, [the] WHO is learning-orientated, the climate folk, the HIV/AIDS folk, the health folk, are a bunch of scientists, and they are serious about gathering knowledge and applying knowledge and accumulating wisdom. I would say that DPPA sits at the complete opposite end of the spectrum to the point of being almost anti-intellectual. And I don't mean that as a pejorative comment on the individuals but as an entity it is probably the least receptive to learning from experience. It's still stuck in an old US–French–UK notion of diplomacy being The Lone Ranger; the art at our fingertips; it's all ad hoc; it's idiosyncratic; every case is unique. It's almost like a farcical stereotype of old-fashioned diplomacy, because really good old-fashioned diplomacy wasn't nearly as simplistic as this.[766]

The United Nations is even said to lack effective systems for knowledge management and for ensuring information about any given case in such a way that is easily accessible to a successor or as part of a handover.[767] One former UN Standby Team member says:

One thing I've seen at the UN, at MSU [Mediation Support Unit] in particular, is how bad they are at knowledge management. When a new Standby Team member actually gets handed a file, it is extremely complicated to trace what other members have done in the same context only a few years back. Now, other organisations might be better…. But at the UN it almost felt like every time you have to reinvent the wheel.[768]

Handovers in other intergovernmental organisations, including the African Union, are also seen as inadequate.[769] To add to these factors, the onerous responsibilities of envoys often means they have few opportunities to reflect on their work, and benefit from the insights and advice of others. As a member of the UN Standby Team says: "[T]here's no space for introspection and reflection about their work, and what all this means. And for those who are fairly new, there is no opportunity for peer review and learning in this particular area."[770] Yet, reflective practice and experiential learning are potentially important for mediators. A scholar-practitioner notes that:

[S]ingle loop learning is you look to see what's working, you look to see what you're doing, and then you make adjustments within the same paradigm. Double-loop learning is you take your step back, and you say, 'Is this the right paradigm? Am I asking the right questions? Am I setting this up correctly? Am I making the right assumptions?' And unless you're able to do that, you're stuck in a set of causal loops and you're just repeating the same mistakes. And so you've got to have a person who is able to do double-loop learning.[771]

Some interviewees note the scarcity of independent strategic reviews.[772] Others express concern that such reviews, for instance concerning UN missions, are often not made public, thus diminishing their impact, and that greater effort could be directed towards the implementation of recommendations.[773] The scholar-

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[765] S590
[766] A827
[767] Also mentioned in section 12.1 above.
[768] O717
[769] H939
[770] O127
[771] H939
[772] Z346
[773] O989

practitioner quoted above contrasted the defensiveness of the United Nations and to parts of the private sector which actively looks to identify and learn from failures:

> [T]he whole tech world is 'fail fast, fail smart', you know, put a bunch of things out there, learn from failures and move on. I think the UN is too preventative-oriented to do that; because they will get in trouble if they do things [like that], and you know, they're dealing with life and death, humanitarian disasters, or worse, and where the consequences are high.[774]

Implications and propositions

Mediation organisations, especially the UN's DPPA and other institutions within regional organisations, should promote a culture of learning. They should establish mechanisms to identify lessons and insights from institutional experience and to then use and apply them in ongoing work. They should establish effective systems to improve knowledge management and to enable reflective practice, self-scrutiny and critical thinking. Wider and better use should also be made of peer reviews and external assessments.

15.3   Underuse of research

A great deal of research on mediation either directly or indirectly addresses the question of mediation effectiveness – simply put, what works in what conditions – yet it has a mixed reception among practitioners. Some raised concerns about the number of high-quality studies. According to one expert: "There's a paucity of serious research on [mediation effectiveness]… we're scratching the surface."[775] Another expert argues that many "piecemeal studies" have generated a "nuanced or complex body of research" that lacks cohesion, amounting to "shards of ideas and insights".[776] A UN expert argues that research based on datasets may not take sufficient account of good practice, which makes progress short of peace – and vice versa: "[S]ometimes we have to look for effective processes, rather than necessarily outcomes, because we can have effective processes which don't have good outcomes."[777]

A common critique is that the research is too removed from real-world challenges. As one former envoy says: "[T]his is a field which is pretty undeveloped, in spite of all the desktop studies and theoretical works and all the… courses in mediation and conflict resolution all over the world. I have always found that the theoretical work is pretty much detached from the reality– the realities on the ground."[778] As a practitioner puts it, "[T]hey are distant from what actually happens."[779] One expert sees a gap between peace research and "the realities of power", especially geopolitics and relations between the major powers.[780]

A practitioner shares their concern regarding the curious disparity between the volumes written about best practices in mediation, compared with the paucity of success in practice, and suggests that "the handful of successful examples that have been produced in this field in the last 20 years are overanalysed to an extent I find quite remarkable".[781] At a practical level, some practitioners object to lengthy academic studies that don't have useful summaries: "[Y]ou just don't have time to read these things".[782]

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[774] S590
[775] R845
[776] S590
[777] F436
[778] A721
[779] R545
[780] Expert colloquium, 11 October 2022. Notwithstanding this comment, a number of academics have conducted research on this issue.
[781] O989
[782] I535 – a former UN official.

Notwithstanding this, practitioners point to a lack of "research-informed" or "evidence-based" practice: that far greater use could be made of insights from research in practice. As one practitioner and former UN envoy says:

> Mediation is both a science and an art.… But I think the science is not sufficiently applied. And where we have learned clear lessons as to what the basic elements of the mediation process are, not necessarily that guarantee success, but without which failure is highly likely, I don't think they are consistently used and applied or sufficiently used and applied.… What's the biggest problem with mediation? It's probably that the science isn't applied.[783]

An insufficient appreciation and application of insights from research is hardly unique to the field of mediation. But as that perspective suggests, there is a considerable gap between the practice of international mediation and academic research, in terms of interaction, exchange and learning, perhaps reinforced by the fact that research is often published in journals behind paywalls. And there is little confidence that the gap is closing. "[T]he gap is huge, in spite of those of us who tried to bridge it," says one scholar-practitioner.[784] Speaking of the research–practice gap, the specialist says: "I've not seen substantive improvement in 20 years."[785]

Several interviewees made the observation that most members of the UN Secretary-General's High-Level Advisory Board on Mediation do not have mediation expertise. It is also unclear how much substantive impact the group has had, if any, on the UN's mediation policies and practices. According to one scholar-practitioner, the Board "was just pomp and circumstance, it was not substantive".[786] A senior UN official admitted that the Board "hasn't been engaged that much, because nobody can quite think of what to do with them".[787]

The UN's Mediation Support Unit is credited with recruiting and deploying capable mediation academics, but many interviewees said that far more could be done to adapt and improve mediation practice on the basis of academic research. The United Nations is seen as lacking the institutional impetus for such efforts. On the contrary, as noted above, the organisational culture is seen as defensive, rather than creative, and resistant to fresh thinking and ideas.[788]

Several interviewees referred to the UN's abortive Academic Advisory Council on Mediation, which was intended to "allow the United Nations to tap into the best research and knowledge available from the global academic community".[789] In particular, it was established to: "promote more systematic exchanges between leading academics/institutions working on conflict prevention and mediation in different regions and [the United Nations] – linking theory and academic analysis with practice… support the generation and dissemination of knowledge for mediation practitioners and their support staff, to foster debate between academics and practitioners, and to build a broad network among academics on mediation".[790] The objectives were laudable; the implementation was not. Several participants in the initiative said they believed it had real potential and were enthusiastic about it at the outset, but the DPPA was seen as disinterested, and it eventually fell into abeyance. As one former member says:

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[783] D438

[784] O717

[785] Expert colloquium, 22 November 2021.

[786] A827. Although the interviewee uses the past tense here, the Board still exists.

[787] F436

[788] X753: "What is the cultural psychological dimension of the system? … everything they plan is seeing the barriers."

[789] United Nations Department of Political Affairs, "Academic Advisory Council on Mediation – Terms of Reference" (New York, NY: United Nations, 2012).

[790] *Ibid.*

[I]t was a very impressive group of people…. from around the world… But the UN, like it does tend to do, checked that box of establishing an academic Advisory Council. We met, I think, three times over as many years. The last meeting was basically a meeting where the Advisory Council said to the conveners, 'You're wasting everybody's time, because you're not really using this group, you're not following through with anything… Either use this group or don't.' And they just kind of went away.[791]

Implications and propositions

The main organisations and donors in the field of mediation, especially the United Nations, should engage with leading research institutions to agree on practical steps that could help to close the gap between research and practice, strengthen the utility and relevance of research, and promote greater access to and awareness of research studies among practitioners.[792] Among other things, donors should allocate greater funding to research undertaken in collaboration with mediation organisations, and initiatives which enable frequent and extensive researcher-practitioner interactions and exchanges.

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[791] S590

[792] For instance, one interviewee argued for more summaries of lengthy and complex research, which include consideration of practical implications – I535.

16. SYSTEMIC ISSUES

16.1 Mixed motivations and lack of coherence

The international mediation field has expanded dramatically over the past three decades. The United Nations has expanded its involvement in mediation; states that had no previous record of mediation work have entered the field; regional intergovernmental organisations have established mediation teams and mediation support units; international mediation organisations have grown in number and expanded their operations; other kinds of organisations, including think tanks and research and advocacy organisations, are increasingly engaged in facilitating dialogue; and mediation work has been undertaken by growing number of local organisations and groups.

This expansion of the field generates divergent views among specialists, or at least, competing considerations. On the one hand, it is difficult if not impossible to know, *ex ante*, which individuals, organisations or groups will be best able to advance a process of dialogue at any given point in time. Different actors may be required for different contexts or conflicts, and at different periods of the same conflict. As two leading mediation practitioners put it: "There are different horses for different courses."[793] The existence of a range of actors in any given process may also reduce the adverse impact on the process if any one of them is finding it difficult to make progress. As a practitioner says: "[I]n the early stages of a lot of these situations, it may not be a bad thing to have multiple players, because then if one gets burned, others have developed relationships with people and they can pick up the baton. So in that sense, the competition, so to speak, may service the process."[794]

Others argue that the field is almost saturated. One state mediation official says: "I don't think there are any spots on planet Earth where a gunshot is being fired, and when we come, you know, there's not already one, sometimes two, sometimes five wannabe mediators who have fabulous ideas and have tried and have failed."[795] They believe the expansion of the field creates a situation which works against mediation effectiveness.[796] In the words of one UN envoy: "I believe that the proliferation of mediators is just to the advantage of those who don't want a mediation."[797]

To better understand the expansion of the field and its implications for mediation processes it is helpful to consider some of the motivational factors that help to explain this expansion, intensify competition, and work against coherence.

States and organisations nearly always have multiple motivations in any given endeavour. Yet, reputational and financial motivations are seen as harmfully distorting mediation practice. Some states, such as the United Kingdom and Germany, are seen as building mediation capacities as a tool to expand their global influence, in a way that may be less costly and more acceptable, both domestically and internationally, than other forms of international action.[798] As noted in section 8, China may also see mediation as a way of extending its geopolitical influence. For several states, such as Switzerland, Norway, Sweden and Finland, mediation has long been a central element of their foreign policy, which they use to burnish their international credentials. As to financial motivations, some regional intergovernmental organisations are said to see mediation as a means of generating income, and non-governmental organisations are engaging in intensive competition to obtain and retain funding.

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[793] T619 and O190.

[794] I874

[795] B468

[796] Among others, interviewee R545, a practitioner, expresses such concerns, and references the competition between multiple dialogue initiatives in Afghanistan before the fall of the Western-backed government in August 2021.

[797] U316

[798] B468

Arguably these factors incentivise success on the part of both states and non-governmental organisations. But they have contributed to mediation becoming a highly competitive field – what one UN envoy describes as a "hungry and competitive sort of feast".[799] This, the envoy argues, has a kind of "transactional" quality in a way that serves the interests of both donors and organisations, and not necessarily the interests of affected populations:

> [T]here's really a myriad of organisations competing, and countries, at least four, five or six countries, significantly resourced countries, that compete with one another, to obtain the kind of lead in mediations and they invest a lot of money. And they are Norway, Switzerland, Sweden, Germany, and [Finland] who have consciously made international mediation a priority of their foreign policy… They cling to their mediations... And there's the United Nations, the African Union, and some of it has a transactional quality. The multilaterals which want to engage know that it's a money-spinner, that they will get money and backing from the European Union or wherever else to support mediation teams and get involved for that purpose... You know, that's when mediation is almost an entrepreneurial activity…. [And] of course, international competition takes place alongside an NGO competition, which is equally transactional. People raise funds based on their engagement in conflicts.[800]

Echoing this, one scholar-practitioner talks of the emergence of "peace mercenaries".[801] Another practitioner worries "this sector is focused too much… on what we can get from it [mediation], not what we can give".[802] The confluence of reputational and financial motivations, and greater competition, creates explicit and tacit pressures on mediation actors to undertake certain kinds of activities or even achieve tangible results over comparatively short timeframes, which, as discussed in section 9.2, can be detrimental to sustainable peacemaking. With respect to non-governmental organisations, "[E]verybody," says a former UN envoy, "needs to have activities and needs to have success, otherwise their donors will not pay anymore. Now, they need their profile, they need to maintain the funding, and they need results."[803]

These factors may mean that decisions taken by mediation organisations are not always made on the basis of what is best for the process, or that some mediation efforts are not best suited to the task at hand. One non-governmental practitioner believes the same factors reduce incentives for mediation work to be undertaken at various levels of society and in various ways: "[Y]ou do oftentimes find colleagues under immense pressure, you know, to make sure that you have something sexy… something high-level, powerful, donors are interested in it, it's visible, it will [generate] headlines and so forth, and then that will bring the organisation money at the end of the day, and clout and prestige."[804] The same factors could even mean that mediation work is pursued even though it works to the advantage of a party who is engaging in bad faith. The UN envoy quoted above recalls a conversation with a senior practitioner:

> I remember having an argument with [a named envoy] about when is it a mediation is being conducted in such bad faith by the players that you walk out, with [the aforementioned envoy] saying, 'Well, we can't back out, we raised funds for this thing.' It's a damaged mediation by virtue of its sort of bad faith practices... It's even worse, with the international players who are involved, the Norwegian mediator can't back out, he's just got to suck it up, which means very often having to play the games that the parties are playing, because he [need to] keeps in with the parties. The initiative seems to have shifted to the parties, rather than to the mediator.[805]

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[799] Z325
[800] Z325
[801] J325
[802] U673
[803] C495
[804] M105
[805] Z325

According to the UN envoy, this highly competitive environment also "raises some problems around the kind of chaos or cacophony which now swamps a conflict with so many players all pulling in a [certain] direction, all backed by different national states".[806] It creates a discordance that is at odds with the kind of mutually reinforcing efforts usually required to make progress in armed conflict, and seems to work against cooperation, coordination or complementarity. One practitioner describes the disjointed efforts connected to a process of negotiations between the Colombian government and the FARC which took place between 1999 and 2002:

> [T]his had an antecedent, a very important one, which was a failed peace negotiation that had happened exactly 12 years earlier [1999-2002], which in Colombia… was a kind of carnival-like, huge negotiation, very disorderly that happened in Colombia itself, where they ended up having a total of by the end, they had some, like 24 countries and international organisation and a group of friends. So you start losing sight of what you're actually supposed to be doing. And all these countries running around, start giving you the impression that you actually– that they have a peace process, where you have nothing. You only have a peace process if the parties get closer to striking agreements, and pushing forward the process. That's what counts. Everything else is subsidiary.... [This is] the great problem of peace and mediation competition, which is very detrimental to peace. And you see it very strongly between certain countries; I saw myself. So you have one layer of problem, which are well-meaning NGOs that are loose cannons and can do things that are good, but can also do harm, then you have another level, which is countries that are competing with each other for space, jockeying, because they want to be the ones who are seen to be doing it. And one can think of ways where some of this stuff is coordinated in a more profitable way.[807]

Practitioners use the language of cooperation in joint meetings or statements, but competition between them can be intense. As one says: "[W]e are supposed to promote cooperation. And usually, we are, I mean, ferocious competitors... I mean, the level of competition among institutions working in the field is unbelievable."[808] Cooperation does occur, says another practitioner, but it tends to be occasional and ad hoc: "Can you imagine if … we all just worked together? Imagine the magic. But we don't work together. We do sometimes [but it is] isolated, and it depends on personalities."[809]

Due to the reputational factors noted above, donors are not seen as helping to alleviate this situation. As one practitioner says: "The reality is that there are very few incentives from donors to actually behave in the [cooperative] way that we say we [non-governmental organisations] will behave."[810]

In a substantial number of cases there may be legitimate concerns, on the part of mediators, that the confidentiality of certain work could be compromised through the information sharing which coordination or cooperation entails. However, this doesn't seem to justify a general resistance to cooperation across the field, the irony of which is hard to overlook.[811] One member of the UN Standby Team says that it is already a challenge for a mediator to liaise with multiple parties at multiple levels. However, the specialist continues:

> it's another thing also to link the various players on the mediation front that have complementary parallel or competing processes that are running alongside the main process that's either UN-driven or driven by a consortium of internationals. And I see that also in too many places. I

[806] Z325

[807] S442

[808] R141

[809] U673

[810] I874

[811] Lack of cooperation and collaboration among mediation NGOs is emphasised by interviewee F183, an experienced practitioner.

mean, one understands why that happens – there's a scramble for resources, there's competition for also having one's name attached to a successful process, which is helpful down the line. But it's totally counter to what the point of the mediation is supposed to be in the first place. It's a contradiction of the values that are supposed to underpin why one embarks on these things in the first place.[812]

Processes often require multiple elements but rivalry, territorialism and lack of communication, let alone cooperation, can splinter a process. It can also be detected by conflict parties who may feel they can select their preferred mediator among rivals, a phenomenon known as "forum shopping". One former UN Standby Team member observes:

[W]hat I've seen is in spite of all the claims to collaboration and coordination, I've seen competition, withholding of information, you know, and what I would describe as staking claim over, you know, certain mediation territories: I'll talk to these groups, you talk to these groups, which not only de-structures the process. I think it goes further because it actually creates incentives for forum shopping.[813]

Many specialists believe that it is preferable for lead mediators to try to coordinate complementary and supportive approaches of many others. But, according to one former UN envoy, this rarely happens in practice:

Then we get to competitive mediation… it's a terrible kind of curse of the field so that you end up worrying about how to coordinate amongst different mediation efforts… [T]he ideal situation is one where there's a clear acknowledged lead and supportive and complementary approaches, but how often is that what's actually achieved rather than rather messy efforts tripping over each other, and if you take the UN and the AU, the mood music at the top… is lovely, but then you look down on the ground to how it's playing out in wherever it is, CAR [the Central African Republic] or Sudan or whatever, and isn't usually a very happy story. There are some happy stories [such as Sudan]. That's one place where it seemed to me it worked. But that's probably the exception more than it's the rule. And then of course, you can broaden that to, you know, to NGO efforts and where are they a supportive part of an integrated strategy under whatever, link to the lead mediator, and where do they too become competition, either with the government or inter-governmental lead mediator, or amongst the different NGOs that would like a piece of the action in the same context?... It's… back to herding cats.[814]

Implications and propositions

One mediator from Africa warns against the interest of external mediators overshadowing those of the parties:

[W]e must prevent mediation ever becoming an industry in itself. Because if the notion is to make it an industry itself, if that is the paradigm, I would say, the intent is wrong… The purpose has to be, in the first instance, the interest of the people who are in conflict, and to help them to find answers.[815]

This would seem to be a valuable guiding principle, or compass point, for the organisation of the field. There are of course some practitioners who believe the expansion of the field, and accompanying discordance, works against positive outcomes. In such "a fragmented space of conflict resolution and

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[812] N291
[813] O717
[814] U407
[815] T302

mediation," says one expert, donors should collaborate to avoid oversaturation: "[T]he funders should… help with the selective process, eventually, bringing the space down to few, efficient, and knowledgeable actors."[816] It would be difficult to argue that there aren't cases where approaches of this kind might enable better mediation outcomes.

Yet, many mediation specialists see huge potential in an expanded field. And, as discussed above, they believe the complexity of contemporary conflicts reinforces the need for multiple lines of effort. "So, of course, we need more cooperation," says a UN expert, "But this comes from the realisation that we usually work in very complex settings, and we cannot do this alone."[817]

A starting point for many specialists is for states, who are also donors, to make more serious efforts to coordinate and cooperate among themselves, and to encourage the organisations they support to do likewise. Only since 2021 have states specifically convened on an annual basis to achieve greater coherence in their work, and interviewees say this is a far cry from a genuine commitment to cooperation that could make a major difference on the ground.[818]

In practical terms, practitioners differ on how such a vastly increased field should be managed. Some call for strong leadership by the lead mediation actors, in any given case, to ensure a level of coherence and impact. "So, rule number one," according to a former UN envoy, "you've got to have a clear person in the lead."[819] A leading practitioner echoes this: "[T]here's a lot of competition. Is it among countries? Is it among support organisations? It's certainly there. And there is certainly not enough, I'd say leadership. Take [a named envoy] as an example in [a specified country]. So [the envoy] would say, I mean, let 1,000 flowers bloom… But there was no strategic leadership, how this all comes together and make sense."[820]

Several interviewees conceptualise a lead mediator, where they still exist, as the conductor of an orchestra.[821] They say mediators, especially those mandated by the United Nations, should look to ensure that the work of various actors is congruent and complementary. As a practitioner summarises:

> [A] manager of a diverse set of events and dimensions of the conflict, hopefully working with all relevant players, non-state players, international ones, but also messaging the support of NGOs to play important roles.… Now you're working with a large team working on international, national and domestic actors and NGOs, trying to make sure that everyone's working in the same direction. … I think increasingly [the mediator] is a conductor of an orchestra.[822]

One former UN envoy echoes this thinking:

> [B]ut especially over the past years, you know, we have seen collective effort. Collective effort that means the facilitator is a *chef d'orchestre*, you know, is somebody who's able to bring everybody on board…. So, the quality of the mediator or facilitator is to be able to bring the contribution of all the people that could have, at different stages of the mediation, some influence

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[816] D537

[817] R141

[818] The meetings are said to be exchanges, which are cursory and limited in depth, rather than genuine attempts to coordinate or cooperate.

[819] L417

[820] X753

[821] D233, a government mediator, reflects: "Listen, you [the lead mediator] are the chief of the orchestra. You've got to get your musicians to play, and we [mediation organisations] are part of the musicians. And it's a question of not expecting you to mediate, but for you to understand how the process works, what we're doing, and at the same time, that we can call upon you as a moral value or moral person who's responsible for the process." Similarly, S467, a practitioner, envisages a "team leader type of approach".

[822] Z325

on the parties to help, so that's why I say it's essentially a collective endeavour, increasingly… [W]e have seen in the past, you know, *médiateur solitaire*, isolated mediator who does the job on its own and that's it. These days, because of the ramifications of disputes, of conflicts, the disputes are complicated enough internally in the nation, that we have so many stakeholders, so many factions, so many parties, and then each of them is related to one or many other actors in the region and internationally…. So increasingly, it's an architecture, mediation is an architecture, where the facilitator and the mediator is in the middle, with many other actors.[823]

At the national level, part of the orchestration role of lead mediators, according to some specialists, is to take a more proactive role in achieving a suitable division of labour, whereby different elements of a process are taken on by different actors. As one practitioner says, "[E]nvoys should be directors, not soloists… And I think envoys are great… when they can work with different actors, they can see the value added of different actors doing different things."[824]

This approach was seen as effective in Libya in recent years where the United Nations ran talks between elites, but non-governmental mediation organisations took on different complementary roles. As one former envoy says, in Libya the Centre for Humanitarian Dialogue (HD) "had a good team that had also spent a lot of time on the ground, and had a lot of facility and knowledge of the local actors [who helped us] broaden the political process. So we worked with DAG [the Dialogue Advisory Group] and they really helped us on the outreach to the armed groups. So we used HD, we used DAG, as multiplying factors for what the UN couldn't do on the ground."[825] As another UN official says: "So it was one where all of these things were part of the official mandate [of the UN Support Mission in Libya (UNSMIL)] as written in the Security Council resolutions, but UNSMIL didn't try to do it all themselves. It looked to others, so that's one clever way of trying to get around the fact that these mandates are overloaded."[826]

Other specialists caution against an approach that may be too centralised, hierarchical or rigidly structured, given that mediation organisations are independent actors. There are also risks in seeking to develop a single, overarching "integrated strategy", which might be misguided. They argue a more fruitful approach may be jointly established mechanisms where mediation actors intermittently convene to communicate, exchange information, try to avoid duplication, gaps or efforts that are at cross-purposes, and encourage complementarity. As a UN Standby Team member says:

> I don't think we've paid enough attention yet to exploring the kind of international contact group type initiative, where you have a structured mechanism that allows for information sharing and genuine efforts to find cohesion and complementarity between the contributions that different people make.[827]

Still others argue that the field should ultimately aspire for a more spontaneous and organic level of interaction and cooperation that lubricates and enables the more diffuse models of engagement described in section 10.1.

16.2 Partial professionalisation

The field of mediation is undergoing a process of professionalisation, including through the evolution of mediation organisations, the expansion of teams and organisations working in mediation support, an

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[823] N200

[824] D371

[825] M912

[826] Z750. "I've always wondered in the back of my mind, are there ways where some of these private mediators can do some of the other tasks, leaving the really hard negotiations of the guys with guns to the lead mediator? Can you have a process that has several components, that you basically farm out to others?"

[827] N291

emerging community of practice, and a growing discourse on mediation practice.[828] But the process of professionalisation is slow, uneven and incomplete. As this study illustrates, there are few mediation professionals who believe that standards of practice are consistently high across the field. Interviewees draw attention to the fact that there are no professional requirements for individuals to work in the field of international conflict mediation – and no professional body, such as are found in other fields of professional activity, to establish, uphold and advance standards of practice. If there are professional bodies to ensure high standards in other important fields, where lives are not at stake, such as notaries, who authenticate and certify documents, some ask, why not for mediators who seek to prevent, manage and resolve armed conflict?

The International Mediation Institute, a voluntary body, collaborates to develop and promote high worldwide standards for commercial mediation, including through establishing and promoting adherence to voluntary codes of professional conduct, disseminating research, and providing support for high-quality training.[829] If such a body exists for international commercial mediation, why could something of that kind not be developed for other areas of international mediation? After all, the stakes could not be higher for those concerned. As one practitioner says, "We forget, the most crucial thing in this is that these are people's lives: you, me – we'll go back to our countries and do our own thing, but they will live here forever."[830]

Some practitioners see the field as "such a wild… unregulated space", as one puts it: "Everyone and their brother can just run around and call themselves mediators, whether they're part of a ministry, or a think tank, or just an individual."[831] As another practitioner says: "[Y]ou would never imagine that you would let somebody loose in… I don't know, performing surgery without actually having had some credentials. You know what I mean? And in our field, this happens all the time."[832] One practitioner instantiates this point with an example from Libya:

> [T]he professional standards are quite low, in general in the industry, which does lend or give people the idea that basically anyone can try their hand at mediation. And this is something that particularly irritates me because I often see states, for example, will announce that they're going to launch a mediation process on Libya… And it was a bunch of diplomats [from a European state], some better, some worse, who, because the minister had ambitions and they had one guy, fairly high up in the ministry who had some experience in Indonesia, had decided that they were going to try and mediate between the two parliaments in Libya – but with no actual experience or qualifications on how to do this. I think they had seen that there were lots of NGOs springing up all over the place who were holding mediation meetings, or they'd seen the low quality of performance from the UN and thought, if these guys are trying it, you know, why can't we try it too…. [T]his lack of professionalism lends credence to those who say, 'Well, you know, why can't we have a go at trying to make peace in Libya? Or why can't someone else?[833]

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[828] T547

[829] The International Mediation Institute is a non-profit organisation which, among other things, develops competency criteria against which mediators can be independently assessed and certified, promotes voluntary adherence to a code of professional conduct, seeks to improve mediation practice through gathering data and convening stakeholders, promotes a wider understanding and use of commercial mediation, and establishes standards and disseminates materials for skills training. The Institute says it is supported by the world's main international alternative dispute resolution bodies and aims to address the needs of all of the field's stakeholders, starting with disputants. See: https://imimediation.org/about.

[830] U673

[831] O190

[832] F705

[833] O989

The absence of agreed principles or a code of conduct is a concern to some who say there are cases where states are deliberatively undermining their own stated mediation goals.[834] Others worry that some mediation efforts may inadvertently cause harm. The "do no harm" principle is well established in development and humanitarian work, but one practitioner says, "[T]he theory of change in many mediation efforts is hope. Let's hope it's going to be good…. [Y]ou don't make an assessment, whether this is good or bad for the overall [change] process."[835] One scholar-practitioner draws attention to the argument that there may be "more egregious harm done by those of us well-intentioned do-gooders going in, doing things, and unaware of the unintended consequences, the political consequences of what we do, than by bad actors actually trying to do harm, because we have so much belief and confidence in the goodness of our hearts that we don't reflect critically".[836]

Many mediation specialists would dispute that assertion but would still take the point. Indeed, there is a substantial body of opinion which takes the view that compared to other professions or fields, mediation lacks a rigorous commitment to establishing and maintaining high standards of practice.[837] One scholar laments "too much amateurism and improvisation".[838] As another scholar-practitioner expands:

> I still believe this field is not only so underdeveloped, but it's at a level of juvenile-ness [sic] or it's not serious. You know, if I look at my peers – I'm [a specified number] years old – if I look at my peers in business, or law firms, or even my academic peers, they would be all in on mobilising. I don't see it in this field. I see it as continually kind of ad hoc, half-hearted, not serious. As much as many individuals [in international mediation] may be serious and genuine in their commitment and concern, as an enterprise, it reeks of amateurism, throughout. And by the way, I'll say that self-critically – because I'm sounding pompous at the moment. Nobody trained me on this. You know, I went to the field. And it was ridiculous when I was hired by the UN. I thought I was joining the team and the best people in the world. And no, it was so awful, and I just found myself suddenly in [a specified country], my God, I was in these meetings, [but] nobody trained me… The deep impression that I have is I am certain that the need is substantial. And I'm also confident that it can be met, if the effort is made, if the resources are allocated, if we were to do these things, if we were to be half as serious as [for instance] corporate law colleagues, we really could be more efficient and effective.[839]

Some practitioners express the concern that the need for versatility in mediation practice can lead to a degree of nonchalance with respect to standards and best practice. "Unfortunately, some laws of physics are set, no matter what," says one practitioner, "the behaviour of humans is not…. But at the same time, there are [voluntary] standards of practice and best practices that are out there. And at the moment, [they are] completely ignored. And just, you know, 'Go with your best instincts, we'll trust you.'"[840]

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[834] The wide range of state interests means this is entirely plausible. For a higher level of confidentiality, the relevant interviewee codes are not included.

[835] X753

[836] S590. Full quote: "Dietrich Dorner wrote a book in the mid-90s, called the Logic of Failure. And his premise is that who are well-intentioned do-gooders going in, doing things, and unaware of the unintended consequences, the political consequences of what we do, than by bad actors actually trying to do harm, because we have so much belief and confidence in the goodness of our hearts that we don't reflect critically. And it's a pessimistic view. But part of what he studies is decision makers in complex environments, and what are the conditions where they're more likely to increase well-being and not bring harm and the traps that we get into. I think that book should be required reading for everybody at the UN."

[837] E.g. O989

[838] I415

[839] R845

[840] E527

There is little if any oversight over most mediation efforts. As another practitioner says: "There is a lack of professionalism, I think, in the industry, and there isn't anything really in the way of oversight."[841] The combination of mixed levels of professionalism, lack of agreed standards, and the paucity of oversight, leads some to argue for a collective effort to professionalise the field.[842] According to one UN envoy:

> Much, much, much, much more [professionalisation is required]. I don't think we've begun really. I think we're sort of 20 per cent down the path, and we've got 80 per cent to go…. [L]et's try it out and test it and pilot it, as well as obviously doing the other bit, which is formalising it and making what we talked about for ages, with making it into a profession, with professional standards, and regulations and accountability to them.[843]

At the core of the argument for professionalisation is the issue of agreed standards, which generates several concerns around content, application and enforceability. It is not entirely clear what the content of those standards would be. Some are concerned that there could be an overemphasis on technical knowledge and skills as opposed to the more human dimensions of mediation which are so important, including, as discussed above, social and emotional intelligence. As one member of the UN Standby Team says:

> Professional standards – I do think it's a good idea. I mean, I think in the legal mediation field, there are professional standards around mediators, and I do think there's something to be said for it, but if its purpose is to increase the level of skill and the professional conduct of mediators, it's a good thing. The worry is when you think about how it could be applied in practice. It might just become an opportunity to emphasise even more the technical nature of mediation. And so if you've learned the technical skills, you get the certificate, and then you're a professional mediator. But that doesn't mean you're a good mediator necessarily. And so one has to be cautious in how that's framed and what the professional body that's signing off on that looks like.[844]

There is a concern that the establishment of standards could entrench an outdated paradigm: as noted in section 7, many believe current practice is based on an "unrealistic and outdated playbook".[845] As one practitioner says: "I think the field is still relatively young. So I think that's one reason. I think the other thing is, if we got one [set of standards] now, we would be replicating the old paradigm."[846] Any doctrinal rigidity could stifle creativity and innovation, including in relation to new technologies. Conversely, establishing standards could penalise those practising more traditional forms of mediation, as it would be likely to privilege liberal approaches typically practiced or espoused by Western states or organisations. As one former member of the UN Standby Team says, "I would be very hesitant, for example, to have standards that would disqualify people who've been doing it in traditional modes in Africa and being quite successful at it, simply because they don't do it in the way that has been defined as the canon."[847]

Concomitantly, some are concerned that the development of standards could lead to the emergence of "gatekeepers", with the power to oversee compliance with the standards.[848] That could distort the field according to the interest or preferences of that group of individuals, and lead to exclusivity in a field that

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[841] O989
[842] For example, R545, a practitioner: "The whole professionalisation of the industry in itself, I think, already it would be a good step, a great step in the right direction."
[843] E610
[844] N291
[845] I603
[846] U234
[847] O717
[848] O717

extols inclusivity. As one scholar-practitioner says: "I think that people who are practitioners have often been worried that [professionalisation] is just used to close the profession… [O]ne of the reasons why [people] create associations and all that, they want to capture the profession. So it's a certain number of people who do it. And my belief is that people [who work in mediation] can be professional, but they don't have to necessarily be certified."[849]

In addition to these concerns, most mediation specialists believe it would be very difficult if not impossible to enforce any agreed standards. As one practitioner says: "I don't really think this is something you could regulate."[850] And another reflects: "[I]t's not a field which really submits easily to supranational legislation."[851] An unintended and paradoxical consequence could be that conflict parties are even more likely to turn to third parties who eschew such standards. "And when you push for those kinds of standards," says one practitioner, "I think what you would end up having is a lot of really well-meaning, professionally competent people who never get in the room. And the Qataris would be on the end of every speed dial, because they're not asking you to do it according to professional standards. They'll be mediators for hire with none of these ethics at all."[852]

Some, therefore, argue for a looser, more organic approach to professionalisation. According to one expert, "[S]tandards are being devised through a sort of process of socialisation, where certain norms for responsible behaviour are set by participants in a field…. [This approach] is more promising."[853] They point to the establishment of postgraduate degree courses in international mediation, such as that developed by ETH Zurich; the production of guidance materials and briefing papers by the United Nations and other mediation organisations; the publication of in-depth studies on issues such as adaptation and innovation in mediation;[854] and an increasing number of seminars and meetings involving researchers and practitioners.[855]

Other mediation specialists welcome these developments but believe that more should be done to tackle the problems of ad hoc, inconsistent and ineffective practices so evident across the field, and which are described in this study. They argue that the absence of a process of certification or enforceable standards does not preclude the development of at least a voluntary or hortatory code.

One senior practitioner and former UN envoy drew a comparison with the humanitarian field. "By the '80s, I would say humanitarian action had become a total free-for-all."[856] This resulted in a discourse during the 1990s, led by the International Committee of the Red Cross with non-governmental organisations, about how to update standards of humanitarian practice. That ultimately led to the development of the "Sphere" standards which sought to raise the quality and accountability of humanitarian assistance. The guidelines, which set out common core principles and standards, have become a central and widely respected reference point for all governmental and non-governmental actors as they plan, implement and evaluate humanitarian response. According to the former UN envoy:

> I suspect an awful lot of the people who claim to be piling into mediation are very thinly aware of this [accumulated insights from theory and practice]. So, they're unaware of it, very self-unaware. It's a bit like everybody piling into humanitarianism. For people who have thought long and hard about it and who have been doing it and studying it for 50 years, [they] have to take a decision. Are we just going to say, 'Oh, well, that's mediation with a small m and let them

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[849] C531
[850] T619
[851] Z325
[852] C477
[853] I603
[854] "Still Time to Talk – Adaptation and Innovation in Peace Mediation" (London: Conciliation Resources, 2024).
[855] For example, the European Union's annual "Community of Practice on Peace Mediation" organised since 2019.
[856] D438

carry on and let's just watch them all flail around,' or do you try and set the standards? And that requires massive heavy lifting.[857]

The starting point for the development of any voluntary code might be the UN Guidance on Effective Mediation, which has broad approval from practitioners. The standards could be developed through a consultative process – the "heavy lifting" – that takes account of content concerns noted above: it needn't privilege the dominant paradigm, stifle innovation or diminish traditional approaches. Indeed, one African practitioner believes it would be possible to develop standards for mediation which allow for diverse and traditional approaches – and argues that this is an important step to enable mediators to be subject to oversight and held accountable for breaches of those standards:

> That has an impact on mediation if we don't have a body that is setting the standards and the principles. It needs to be done. We cannot just hide behind culture, or hide behind religion or ideology. I think we need to be firm about a common vision for how we see the world becoming a better place. And mediation can play a role in that, so long as we have shared standards… Because then you know what to hold people accountable to, and then you can have oversight over that.[858]

Some mediation specialists believe such a process could also encompass the development of principles which underpin best practice, perhaps drawing on work undertaken by existing initiatives.[859] This could, for instance, include principles of impartiality, "do no harm" and the avoidance of conflicts of interest, to address the concerns mentioned above.[860] One practitioner agrees "there are some universal principles" and gives the example of "this whole idea that you don't ever agree something that brings two parties together against another party, right? So you wouldn't shore up two parties to then dominate a third party that wasn't at that table."[861]

To have legitimacy, such a process would need to be inclusive in all respects, including geographically. To have traction, it would likely require the involvement of the main international mediation actors. That suggests it would need the support and involvement of the United Nations, the principal donors,[862] the members of the informal group of prominent mediation and peace support organisations,[863] and the broader Mediation Support Network.[864] A practitioner contends, "[S]ome kind of an effort bringing funders [and organisations] together, in thinking together through these criteria, through these protocols, through these standards, might be really now the next place to go."[865]

Some believe that such a process could lead to the establishment of a body for international mediation, which could prove useful for advancing professionalism.[866] "In the absence of having standing structures and so forth, it's very difficult to build up professionalism," says one scholar-practitioner.[867] Others are more sceptical. In either case, a change process or future professional body of some kind could go

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[857] D438

[858] M105

[859] For instance, the Principles for Peace Initiative.

[860] Z325; D438.

[861] C477

[862] The main donors to the field of mediation are well known, most of which convene annually on an informal basis.

[863] The group of several organisations meets annually. By way of illustration, see this statement of the group from April 2020: https://berghof-foundation.org/news/peace-support-organisations-adopt-collaborative-approach.

[864] See: https://mediationsupportnetwork.net/.

[865] D537

[866] R545: "I don't see why we shouldn't have a professional body."

[867] R845

beyond the issue of standards and address other issues relevant to professionalism such as monitoring, evaluation and accountability.[868]

Many specialists believe mediation work is subjected to insufficient monitoring and evaluation, both internally and externally. It is widely acknowledged that in mediation "it's very hard to evaluate people's claims," says a leading practitioner. "In most situations, there's a lot of fog. And there's a lot of subjectivity in understanding what's happening."[869] Dialogue processes are highly contingent and failure to make progress in any given case may have nothing to do with misjudgements or deficiencies in the mediation effort. If progress is made, it may be intangible, perhaps represented by a slight but significant change in a conflict party's attitude to another party or to the idea of dialogue. Yet, practitioners say that donors still tend to look for sequential, quantitative outputs. By extension one practitioner says: "[E]veryone in foreign ministries say, 'Yes, we totally get you, however, can you do the logframe?'"[870] This is seen as a general problem in the United Nations, and one that is not getting any better. According to one UN official,

> There is a really unhelpful donor dynamic around this where in everything that we do, the increased emphasis on logframes and results frameworks and matrices, where everything is pre-planned, and every activity you need to then break down in your budget, you need to know and stipulate and then measure exactly. And every two weeks, you then have to send a report and say, 'Well, we did organise the meeting, and out of the 21 envisaged participants 17 came.' And so much time and capacity and resources are actually tied up with that, that the thinking about – great, you had a meeting with 21 – or you invited 21, 17 came, so what? What difference does that make? What impact does that have? And how does that really address the political problem at the heart here? – tends to get lost.[871]

Specialists also say, as noted in section 15.2, that there are only minimal or ad hoc processes of internal review, and limited use of independent external evaluations. "I don't see much of an effort of the UN to evaluate its own performance," says one practitioner.[872] Likewise, a scholar-practitioner says of UN evaluations, "it's a hit and miss chequered kind of record" and that "there's no desire by almost anyone to have a genuine external evaluation [of UN work]".[873] As noted above, external reviews are conducted of UN missions, but they are often not made public and their impact is questionable.[874] Notwithstanding this, efforts have been undertaken to develop means of assessing mediation work that doesn't rely on metrics[875] and some organisations are taking steps to address such shortcomings, such as through instituting peer reviews, including with external professionals.[876]

A separate but related issue is the lack of accountability for mediators or mediation practitioners who are demonstrably incompetent or lacking the necessary skills for the job. As one expert says, "[T]here are no consequences for the individual for messing up – the doctor will lose his licence, if you were to do that. A lousy diplomat will keep getting jobs in the future, a lousy person will keep getting something in the future."[877] One practitioner points to the paradox that accountability is lacking for the most consequential roles: "It's funny that you have such high levels of accountability at lower levels, and then when you get up to the SRSG level, then they're kind of allowed just to sail their own ships."[878]

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[868] This is an area of considerable complexity which is covered here only in the briefest terms.
[869] I874
[870] I874
[871] P491
[872] S467
[873] R845
[874] Section 15.2.
[875] See: https://hdcentre.org/insights/mediation-practice-series-valuing-peace/.
[876] B468, I874 and O989.
[877] D537
[878] S467

This lack of accountability is associated with outdated conceptions of mediation practice. As one UN envoy says: "This old fashioned – what I ascribe to [Lakhdar] Brahimi rather unfairly – sense that mediation is, you know, is a magical art known to very few people, all old and male and white… is [expletive]. Of course, it's subject and amenable to planning and accountability…. [A] management compliance process needs to be put into place."[879] One practitioner goes even further than this and argues that there should be accountability not only for effectiveness but also consistency with global norms. "The international community says that they want these processes to be about the people, but they overwhelmingly prioritise the system of predominantly white men flying around the world and making elite deals. They don't hold those dealmakers to account when the deals obviously and egregiously go against widely held international norms."[880] It is hard to see how such a stipulation could be applied in practice, given that it is the parties who ultimately determine the substance of any agreement, but the sentiment which underpins it, and resentment at the lack of accountability, is shared by a number of interviewees. A former senior UN official describes the serious implications of this:

> [V]ery often, the mistakes of the mediators result in an aggravation of the conflict, with the subsequent loss of life, destruction of property, etc. No mediator has ever been taken to task because of that. Obviously, responsibility for peace rests with the parties, let's make no mistakes. But sometimes we help jeopardise and sabotage that responsibility. One, there is no capacity in the system, there is no ability to really focus on that. Second, there's no sense for the mediators that you'll be taken to task if your failures are such that become causes of the aggravation of the conflict.

> The best that happens when we see– well, it eventually gets to the Secretary-General or the Security Council, 'Oh this mediator is really becoming part of the problem.' And it takes time because there is distance and there are a million other concerns in the heads of the Council. So eventually we pay attention to it, but you know, sometimes, thousands of lives have been lost already because of that. We get rid of this mediator and then we bring another one, who's going to do his or her own thing. And so you will mediate – you're a bad mediator, you're mediocre, you are so-so – it's all the same. It's all absolutely the same, and then you move from one mistake to the next, because you are [at] a high level, you've already reached that level, and so you continue. These are things that if we had the courage [we would] really look at, with clear eyes and see what can be built into the system that will allow us to at least mitigate and minimise these instances, and at best, to prevent them altogether.[881]

The rationale is self-evident for any change process, or indeed nascent professional body, to explore and promote best practice around monitoring, evaluation and accountability. An emergent collaborative body of some kind could also engage in other lines of activity to promote higher standards of practice throughout the field, building on the progress that has already been made. It could seek to encourage and support the development of high-quality training. Relatedly, it could develop guidance as to the training and mentorship which should be provided for newcomers to the field, as well as to more experienced practitioners, so that they can ensure their professional knowledge and skills are up to date: "the sharpening of the skills of mediators", as one expert puts it.[882] Professional bodies in other fields, such as the law or medicine, either require or encourage such continuing professional development.[883] It could look to convene practitioners to exchange views on best practice at senior, mid and junior levels. The Oslo Forum is widely seen as wholly inadequate for that purpose. As one former UN envoy says: "[T]he idea [of the Forum] was that it would be mediators talking seriously in a small group about the practice

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[879] E610
[880] C477
[881] F301
[882] O127
[883] In the UK legal profession, this is known as "continuing competence": see: https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/continuing-competence/.

of mediation. And then, you know, fast forward, it became this big show that is great for HD and Norway, but actually isn't seriously contributing to the development of the profession of mediation."[884]

A broad-based, voluntary professional body or initiative could seek to close the gap between research and practice, noted above in section 15.3, through circulating new research, enabling regular virtual and physical exchanges between practitioners and researchers, and supporting collaborative activities. It could inform, support and advocate for reforms or changes which are widely seen as conducive to improving mediation effectiveness. A professional body could also seek to promote the best interests of the field, such as through advocacy with donors and other external actors, for example, for merit-based appointment processes for mediators and for more substantial, long term and flexible funding for mediation organisations, as suggested in sections 11.1 and 9.2. It could also take steps to protect the integrity of the field – a key reason for the emergence of professional bodies in other fields – such as relating to the misuse of mediation by states for the achievement of foreign policy objectives that are unrelated to or even inconsistent with genuine mediation work (as noted in section 6.6). Such efforts have a much greater chance of succeeding if they are undertaken collectively. Indeed, the Mediation Support Network has already taken some steps in this direction and could perhaps help to support the emergence of a professional body.

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[884] U407

17. SUPPORT

17.1 Insufficient, inflexible, bureaucratic and short-term resourcing

Notwithstanding the flaws and deficiencies discussed in this study, the likely "return on investment" from international mediation work, in terms of collective savings, is self-evident.[885] Ending or preventing war can save thousands of lives, spare immense loss and suffering, and avoid massive social, economic and environmental costs. It can avert the expenditure of vast sums on war fighting, humanitarian assistance, and in due course peacekeeping, recovery and reconstruction.

Yet, there is a powerful case that the world is substantially underfunding peacemaking. International support for peace is at a twenty-year low as a proportion of total official development assistance.[886] Globally, government spending on international mediation is around 0.02 per cent of global military spending.[887] As one scholar-practitioner says: "[W]e take these things, which are hugely complex, and we throw a pittance of what I would call human potential – collective human potential – in trying to resolve them. I mean, if you were in business, it would be absolutely laughable."[888]

Not all practitioners believe there is a shortfall in mediation funding. A small number of mediation organisations and institutions are comparatively well-funded, especially those of an intergovernmental character, that have close relations with a state or states, or benefit from a substantial endowment. For others, lack of funding can limit and adversely affect their work. Indeed, operational decisions can be conditioned by funding considerations.

Some practitioners say their efforts are constrained by the prevalence of project funding, as opposed to core funding, which gives organisations flexibility. As one practitioner says, "[F]or organisations like ours, I really think core funding, instead of project funding, makes such a big difference, because it allows you this flexibility."[889] Increasing "projectivisation", however, is seen as inconsistent with the nature and demands of mediation work, which requires long-term involvement and the ability to adapt to new developments or conditions. Projectivisation, says one leading practitioner, "limits the ability of

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[885] F510

[886] "Peace and Official Development Assistance" (Paris: OECD, October 2023), p 14. In March 2024 an international official confirmed to the author that the trend identified in the report with respect to official spending on peace has continued.

[887] The total spending by donors on peacebuilding and conflict prevention and resolution – a category of aid spending which includes mediation – is around $2.7 billion (2021 figures). It is assumed that mediation accounts for a fifth of this amount, $500 million, given that other lines of expenditure within this category tend to absorb far higher costs. To expand, as defined by the Organisation for Economic Cooperation and Development (OECD), which records Official Development Assistance, Common Reporting Standard purpose code 15220 concerns "Civilian peacebuilding, conflict prevention and resolution". See: "Peace and Official Development Assistance" (Paris: OECD, October 2023), p 25. By comparison, annual global military spending by governments in 2021 was $2,113 billion; see: "SIPRI Yearbook 2022: Armaments, Disarmament and International Security – Summary" (Stockholm: Stockholm International Peace Research Institute, 2022), p 10. In fact, world military expenditure rose to $2,240 billion in 2022; see: "Trends in World Military Expenditure, 2022" (Stockholm: Stockholm International Peace Research Institute, April 2023); and to a record high of $2,443 billion in 2023, see: "Trends in World Military Expenditure, 2023" (Stockholm: Stockholm International Peace Research Institute, April 2024). Interviewee O876, among others, points to the stark disparity between government spending on the military and mediation.

[888] F510. A practitioner, S467, expresses a similar view: "Considering the amount of resources which go into keeping things moving on other things, it's kind of quite depressing to see the small amount of resources which are devoted to the mediation field."

[889] D371

mediation actors to quickly respond to crisis…. [and] to engage conflict parties in building relationships of trust, in maintaining these relationships even when there is no peace process".[890]

Leaders of mediation organisations also strongly object to burdensome bureaucratic and administrative requirements imposed by many donors. They accept the need for careful planning, organising, budgeting, as well as reporting and evaluation. But the "transaction costs" of project work are seen as demanding even for comparatively small scale, short-term projects.[891] As noted in section 9.2, states are widely seen as providing support which is too short-term, compared to the many years of work required for most peace processes.

Implications and propositions

In the words of the head of one mediation organisation, "I think there needs to be a much stronger political case made for investing in peace and investing in conflict resolution and mediation."[892] States should increase their investment in high-quality mediation work, increase the proportion of long-term, flexible funding, and streamline the administrative demands placed on recipients. Being widely agreed by mediation organisations, the field could jointly develop and implement strategies to advocate for such changes.

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[890] Expert colloquium, 14 October 2021.
[891] The Wilton Park conference of March 2022, noted above.
[892] Expert colloquium, 14 October 2021.

REFLECTIONS AND CONCLUSIONS

Drawing on the expert observations and insights presented in this study, the author identifies eight propositions about the current state and future of international mediation. They relate to current priorities, changes that are required, and what could be done to help bring those changes about.

1. International mediation is in trouble.

International mediation today encompasses a diverse and protean range of actors and activities.[893] Yet, among those who identify as forming part of the field of mediation, there is a deep and widely felt sense that the field is in serious trouble.

What those engaged in international mediation seek to do – to assist in the prevention, management or resolution of armed conflict – is almost always hard to accomplish. The drivers of conflict are powerful, and a panoply of factors lie outside of the control or influence of mediators.

The current operating environment makes mediation work even more difficult: conflicts are often complex and fragmented, especially internationalised civil wars; major and regional powers are divided or at odds with each other, repeatedly paralysing the UN Security Council, and they lack the political will to try to prevent, resolve and manage armed conflict. The credibility of mediation is being undermined by democratic malaise in Western countries, the rise of authoritarianism across the globe, increasing friction between the Global South and the West, and the misuse of mediation for the advancement of government interests.

These and related factors are creating serious challenges for a range of fields that operate in the international arena. But there is a general agreement among experts that the mainstream field of mediation has been slow to adapt to new conditions. Moreover, they point to flaws and deficiencies in virtually all major aspects of the field.[894] As many see it, mediation objectives are overambitious and timeframes are too short; the envoy-led approach is overcentralised; organisational problems impede effectiveness, especially in the United Nations; too often lead mediators lack mediation expertise or social and emotional intelligence; levels of mediation expertise and local knowledge vary across the field; efforts to build relationships and promote ownership are marginalised in the drive to secure peace agreements; too many processes lack strategic and creative thinking; proven mediation techniques are sometimes overlooked or mishandled; both prevention and implementation are neglected; levels of professional and organisational learning and development are variable and often inadequate; and peace processes often lack coordination and complementarity among diverse mediation actors.

Not all mediation specialists agree with these critiques, and indeed, there is divergence in certain areas, such as the utility of high-level and pragmatic approaches, the handling of confidentiality and inclusivity, or the role of mediation in prevention and implementation. Yet, divergence on such issues often reflects alternative critiques, rather than a defence of the status quo.

It is important not to draw false inferences from this highly critical self-appraisal. Scores of mediation efforts are being undertaken across the globe that help to advance challenging processes, mitigate the repercussions of war, and improve the eventual prospects for peace. There are few if any practitioners who question the potential of mediation to make a positive difference in a multitude of situations. But

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[893] If, in the past, international mediation was largely the domain of mediators and mediation professionals, then that is no longer the case.
[894] Arguably, it is paradoxical that individuals who are so central to the field of mediation, and who have shaped its development, are so critical of it – an issue which could merit further research.

this does not detract from a deep sense of concern among mediation professionals about the state of the field.

2. There is a risk of overlooking fundamental problems within the field of mediation.

The factors outlined above, which explain the current state of international mediation, are both exogenous – relating to conflict and the broader context, and endogenous – relating to the substance and form of mediation efforts and the way the field of mediation is organised and operates. There is a major risk that mediation organisations, including the United Nations, ascribe mediation's present difficulties to exogenous and not endogenous factors. As denial and self-serving biases suggest, we tend to externalise failure.[895] Institutions, just like individuals, prefer to avoid acknowledging painful realities, especially serious flaws and weaknesses, and blame circumstances for failure. Powerful reputational factors reinforce this tendency.

Even if the field takes a more self-critical perspective, there is a further risk that flaws and deficiencies in established structures, policies and practices will be overlooked. This is partly due to approaches, in research and practice, which tend to focus more on the application of mediation efforts to specific or multiple cases, than the overall structure and operation of the field.

It is also partly explained through a process by which the destruction and suffering of armed conflict, rapidly disseminated by modern media, creates humanitarian imperatives and political pressures which cause decision makers and mediators to focus on what can be done to make a positive difference in any given case. Organisational or operational flaws, however problematic or harmful they may be, are generally overlooked in the knowledge that systemic changes would require debate, mobilisation, policy development and implementation, among other things – and could only be accomplished and make a difference over time. Thus, too often short-term exigency prevails over long-term effectiveness.[896] Cumulatively, this contributes to a kind of self-perpetuating performance paradox: as the field endeavours to make a difference in specific cases, it fails to address more fundamental problems, which impedes the overall effectiveness of the field. As one mediator puts it, "[We've] forgotten some of our fundamentals. That's a problem."[897]

This is reinforced by the fact that contemporary mediation colloquia tend to address new, specific, complex or advanced issues: how the field addresses contemporary challenges, such as the impact of climate change or complex environments; how it achieves specific goals, such as the inclusion of women and youth; how it innovates and exploits opportunities, such as through media or digital tools; or how to address conflicts in specific countries or regions.[898] UN reform is prioritising "data, innovation, digital, foresight and behavioural science expertise".[899] These are all important issues, which justify the consideration of experts and practitioners, but they are no substitute for a critical examination of whether the field is getting the fundamentals right.

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[895] These biases serve to protect our self-esteem and self-regard. Denial is the refusal to acknowledge thoughts, feelings and aspects of reality that are painful to accept. Self-serving bias is the well-documented tendency of individuals to ascribe success to their own ability and effort, and failure to external factors. See: Isabelle M. Bauer, and Roy F. Baumeister, "Self-Knowledge", in Daniel Reisberg (ed.), *The Oxford Handbook of Cognitive Psychology* (New York, NY: Oxford University Press, 2013).

[896] B905.

[897] Expert colloquium, 28 October 2021.

[898] Recent colloquia have addressed issues such as: technology, media and digital mediation; women or youth in mediation; mediation in elections or national dialogues; mediation in complex environments; environmental mediation; local and insider mediation; and mediation in range of specific countries and regions. See, for example, "Report on the 2022 EU Community of Practice on Peace Mediation", October 2022; available at: https://www.eupeacemediation.info/.

[899] "Our Common Agenda Policy Brief 9: A New Agenda for Peace" (New York, NY: United Nations, 2023).

This does not mean measuring contemporary mediation against the standards of an outdated paradigm. It involves a rigorous assessment of organisational and operational issues that are central to mediation effectiveness. Not least, that should encompass: what mediators are seeking to achieve over what timeframe; how mediation efforts are organised; the attributes, knowledge and skills of mediators and their teams; the methods they use and their priorities; their ability to learn from experience and benefit from research; and the strength, coherence and functionality of the system as a whole.

3. The urgent priority is to enhance effectiveness.

It is hard not to conclude that mediation's achievements in the two decades following the end of the Cold War were significant but overstated, and gave rise, in some quarters, to overconfidence in the efficacy of the field, even a sense of complacency, and outsized expectations. Mediation became a vehicle for the achievement of a multitude of national and international objectives. It both embodied and exported liberal values; it became a darling of the West's multidimensional foreign policy agenda. In some ways, the ensuing expansion of the size, scope and ambition of the field was accompanied by an attenuated focus on its central purpose: to help prevent, manage and sustainably resolve armed conflict.

Yet, the multiplicity of armed conflicts in recent years, especially in Africa and Asia – consider Libya, Mali, Nigeria, Cameroon, Democratic Republic of the Congo, Central African Republic, South Sudan, Sudan, Ethiopia, Somalia, Yemen, Syria, Israel–Palestine, Iraq, Afghanistan, Pakistan, and Myanmar – and the devastating implications for the huge numbers of people affected by them, constitutes a powerful case for a focus on effectiveness.

This is reinforced by the menacing prospect of an even more difficult operating environment in the years ahead. Some observers see rising threats to the international system. As one senior UN official says:

> [W]e're [already] in a world where we see a whole bunch of countries questioning the entire multilateral system, right? So, everything is up for grabs right now. And I think the next 10 years, 15 years, 20 years are going to be hugely rocky. I mean, things are not going to get easier; mediation is going to continue to become harder and harder. So we're not talking about efficacy or success, we're talking about from one grand failure to another.[900]

There is a substantial risk that great power rivalry, driven by the Russia–Ukraine war, and by a global power struggle between the United States and China, could lead to a period of severe and protracted hostility across multiple domains, with features that bear resemblance to the Cold War. It could see the emergence of rival blocs that fracture the international system, cause serious disruption to multilateral action and undermine mediation efforts around the world, not least through deadlock in the UN Security Council. Recall that during the Cold War the superpowers made strenuous efforts to ensure the survival of allied governments, overturn governments allied with their adversary, and to dominate their region. In that period the United States made no fewer than seventy attempts to change the governments of other states.[901] Recall, also, that in contrast to the post-1991 period, during the Cold War a majority of civil wars were settled by military victory as opposed to a peace agreement.[902] A new era of great power rivalry and hostility could entail similar deleterious dynamics and effects.

Other factors are highly likely to cause or contribute to conflict, including climate change, desertification and large-scale population movements; the rising capabilities and military interventionism of regional powers; the collapse of arms control and a new arms race involving artificial intelligence, hypersonic

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[900] M807

[901] Lindsey A. O'Rourke, "The Strategic Logic of Covert Regime Change: US-Backed Regime Change Campaigns during the Cold War", *Security studies* 29, no. 1 (2020): 92-127. The Soviet Union, of course, acted similarly.

[902] Joakim Kreutz, "How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset", *Journal of peace research* 47, no. 2 (2010): 243–250, p 246.

weapons, space militarisation, cyber and electronic warfare, and autonomous weapons systems; and the polarising and pernicious effects of propaganda, disinformation and social media echo chambers. The need for the mediation of armed conflict is likely to soar.

It is not that international mediation is necessary or viable in all cases.[903] But if mediation is considered to encompass a diverse range of efforts, undertaken over extended periods, as this study suggests, then it will often be required. Yet, mediation simultaneously faces a rising threat from alternatives: power-based approaches centred around elite bargaining and militarised conflict management. Such approaches may appeal to governments seeking to avoid the demands or expectations which international peace processes typically entail. These approaches could undermine efforts to advance causes enshrined in international law, not least human rights, democratic freedoms, or justice and accountability. They could adversely affect standards of governance and impede inclusive social and economic development. There is also a risk that they yield more fragile and short-lived cessations of hostilities.

Taken together, the litany of flaws and deficiencies catalogued in this study, the highly challenging and deteriorating operating environment, and the likely rise of alternatives, create an immensely powerful case for serious and concerted efforts to enhance effectiveness.

4.   To enhance effectiveness the field needs far-reaching change.

Greater effectiveness cannot be achieved without change. The field is already changing to meet new challenges. But what is required is not only change in how mediation actors respond to individual conflicts, and broader adjustment, adaptation, and innovation – which are essential, but also fundamental change in the way the system is organised and operates, encompassing structural, and where necessary, far-reaching change. The reality is that mediation needs an overhaul. As one UN Standby Team member says: "And so we all dance around and look at each other, and at the end of the day, international mediation… requires a complete overhaul, a complete restructuring of how we understand mediation today."[904]

The interviews and colloquia conducted for this study suggest the United Nations is likely, even predisposed, to oppose such change.[905] A senior UN official has confirmed as much.[906] Tellingly, the UN Secretary-General's 14,000-word policy brief "A New Agenda for Peace" mentions mediation only twice.[907] Other prominent mediation actors may also resist the disruption, uncertainty and demands of fundamental change. Yet, countless lives depend upon it. Mediation's record is too equivocal, the challenges are too great and the stakes are too high to settle for limited or superficial change. Indeed, if the field cannot transform itself over the near to medium term, it may find itself marginalised or even obsolescent in an era during which it will be desperately needed.

5.   Both specific and systemic changes are required.

In many areas, the changes to enhance effectiveness are implicit in the critiques articulated in this study, around which there is a high degree of convergence. To name but some: avoid overloading mediation

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[903] B118. As one former UN Standby Team member says: "Now, we always need diplomacy; we don't always need mediation. Diplomacy is always appropriate; mediation is not always appropriate. But where mediation is appropriate, too often it's just a dressed-up form of diplomacy."

[904] O127

[905] X753

[906] The Wilton Park conference of March 2022, noted above.

[907] "Our Common Agenda Policy Brief 9: A New Agenda for Peace" (New York, NY: United Nations, 2023), pp 14 and 24. The policy brief includes several references to the phrase "good offices", but this refers to a particular form of engagement that is far from synonymous with mediation. The UN's Pact for the Future also says comparatively little about international mediation: "Summit of the Future Outcome Documents" (New York, NY: United Nations, 2024), p 15.

processes, adopt longer timeframes, guard against overcentralisation, appoint mediators with mediation expertise and social and emotional intelligence, prioritise relationship building, promote ownership, cultivate and expand professional and institutional learning and development, and achieve greater levels of coherence. In other areas, where there is divergence, the changes required to enhance effectiveness are less obvious. Indeed, determining exactly what changes are needed, in any areas, and how they should be implemented, are questions that require a process of deliberation and debate.

Such a process must build on changes that, to different degrees, are already underway and are reshaping the field. These changes are reflected in wider, systemic responses, the contours of which are identifiable in this study. These approaches rest on complex thinking and analysis but, in reductionist terms, the most prominent appear to be:

- pragmatism: a scaling back of ambition to focus on what is practically realistic in any given case;
- diversification: the adoption by mediation actors of a wide range of methods and techniques, many of which have little resemblance to those traditionally used in mediation;
- diffusion: mediation work carried out by multiple actors at multiple levels in complementary ways;
- human-centricity: the prioritisation of psychological, behavioural and sociological knowledge and skills to strengthen relationships with and between adversaries, over technical aspects of processes or the drive to secure agreements; and
- sustained engagement: active mediation work before, during and after periods of armed conflict.

These aspects of the field are not entirely new but are manifesting in new ways or acquiring new prominence. Broadly speaking, as paradigmatic approaches they are mutually compatible, but elements of some are in tension with others; most are widely accepted but some are contested. Determining their validity and practical implications must be part of any process of change.

6. The field needs to professionalise.

One form of systemic change that is currently underway is professionalisation. Mediation may be an ancient practice, but it is a young field. As such, although important progress has been made, mediation has barely commenced the long process of professionalisation from which other fields have benefited over hundreds of years. Opinions on professionalisation vary among mediation specialists. But as this study has shown, amateurism and mediocrity are not uncommon; too often key personnel lack relevant knowledge and skills; levels of competence and capability vary greatly; strategies, methods and techniques are in many cases misjudged or mishandled; monitoring and accountability are weak; individual and organisational learning is inadequate; and the proliferation of mediation actors creates concerns about overall standards.

There is thus an immensely powerful case for more deliberate and concerted efforts to professionalise: to promote the highest standards in ethics, knowledge, methods and skills across the field. The idea that international mediation alone among human occupational endeavours that serve important functions – from the military to medicine, from art to architecture – is exempt from such rigours is as logically flawed as it is morally objectionable. Professionalisation in art-based occupations demonstrates that the process need not stifle creativity, nor impose a single paradigm. The substance and form of professionalisation is of course a matter for debate and deliberation, and regulation would be impossible, but the need for a self-driven, collective effort to professionalise is abundantly clear.

7. There needs to be a viable process of change.

Specific and systemic changes, including professionalisation, can take place organically and spontaneously, through a process of socialisation involving experimentation, demonstration, observation, research, interaction, exchange and the professional discourse. That is certainly happening in the field of

mediation. Yet, that process is slow, piecemeal, incomplete and could leave some important areas unchanged. It is not well served by the culture of secrecy or non-disclosure, lack of cooperation between mediation actors, intransigence of the United Nations, the gap between practice and research, and disincentives for candour. These factors, the urgency, and the depth and breadth of change required, generate a powerful argument for an organised effort to try to catalyse and expedite change – a new agenda for international mediation.

Such a process, driven by the field itself, would in no way serve as a substitute for evolutional change but could potentially expand, strengthen and accelerate the field's future development. The highly diverse nature of the field of mediation, not least in actors, aims, methods and activities, means it is impossible to envisage a process which is capable of determining the changes required and then bringing them into effect. Such a process would not seek to agree and impose change. Rather, it would seek to discuss, inform, inspire, support, enable and advocate for change. The process could potentially form the basis for some kind of inclusive professional body that could nurture, encourage and support the process of professionalisation. There has never been a process of this kind for international mediation – and it shows.

What it looks like, in practical terms, and how it relates to and builds on existing efforts, is for the field to determine. There are many options. It could be initiated, for instance, by reviews of key issues conducted by diverse panels of leading practitioners, combined with interlocking consultations and colloquia focused on developing practical responses to flaws and deficiencies. In any event, the shape, substance and sequencing of the process is itself an important issue which should be the subject of collective deliberation. That raises the question of what attributes the process would need to succeed.

8. Any such process requires self-scrutiny, debate, inclusivity and leadership.

The process of change will require self-scrutiny. Mediation actors, and most notably the United Nations, have avoided a high level of scrutiny that goes beyond monitoring and evaluation in individual cases. What is needed is a rigorous and comprehensive appraisal of effectiveness. Indeed, unlike other areas of peacemaking, such as peacebuilding or peacekeeping, there has never been a concerted or systematic review of international mediation, involving in-depth consultations and practical recommendations for change.[908]

In the competition for diminishing resources, and in an era of weak and unreliable political support, it seems unwise to draw attention to the field's failings. But no serious change process can be undertaken without first achieving an unvarnished understanding of the field's flaws and deficiencies. As one former UN envoy says:

> I think before you can have that really honest, soul-searching discussion [about what needs to change], at least, there needs to be a proper coming forward and being very critical together…

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[908] The United Nations has conducted several reviews of peacekeeping and peacebuilding. Understandably, they do not address international mediation in any depth. The "Brahimi report" on UN Peace Operations of 2000 (A/55/305 S/2000/809) did not cover mediation, and mediation was only one element of a much wider set of issues covered by the "Report of the High-level Independent Panel on Peace Operations" of 2015 (A/70/95 S/2015/446). The United Nations conducted a comprehensive review of its peacebuilding architecture and operations in 2015, based on an expert report which makes limited mention of mediation: "The Challenge of Sustaining Peace – Report of the Advisory Group of Experts for the 2015 Review of the United Nations Peacebuilding Architecture" A/69/968-S/2015/490. In the UN's Pact for the Future, of September 2024, states request the UN Secretary-General to "undertake a review on the future of all forms of United Nations peace operations" (para. 42) and draw attention to the Peacebuilding Architecture review of 2025 (para. 72), but the Pact makes no provision for a review of UN mediation efforts: "Summit of the Future Outcome Documents" (New York, NY: United Nations, 2024).

and acknowledging that we've made so many mistakes, and also having documentation about the mistakes.[909]

This will require a thorough, serious and open-minded consideration of the evidence. This means drawing on an expanding body of high-quality research, including case studies and comparative analysis. It should draw on analysis from both inside and outside of the field. Without losing sight of field-wide problems, it will require disaggregation: to reach a deeper and more nuanced appreciation of what is effective under what circumstances.[910]

The mediation community must put at the heart of this process what lies at the heart of its work: constructive engagement. Too many views are withheld or issues are avoided out of concern that they might undermine professional relationships or jeopardise funding streams. This study would have been radically different had the interviews not been conducted on a non-attributable basis. All issues of significance must be open to respectful debate and discussion, which should be honest and open. The collective self-suppression of views around issues seen as sensitive or controversial, such as around inclusivity, pragmatism, professionalism, funding, the expansion of the field, or the role of the United Nations, serves as an impediment to progress. In an insidious way, it curtails debate and saps the impetus for change. As mediators well know, a well-organised and well-facilitated process can create a safe space for difficult conversations. To encourage openness, the process may need to adopt techniques that enable participants to speak without attribution.

The process must embrace the rich diversity of the field itself and could be composite, comprising a number of related processes. It should include professionals of all gender identities, and those of different ages and backgrounds, and involve a wide range of local, national, regional and international mediation actors. The process should draw on the perspectives of donors and partners, current and former conflict parties, beneficiaries, and civil society. It should ensure full involvement and representation from the Global South, and encompass both traditional and contemporary forms of mediation. Without taking such an approach, the process will be deficient in insights and ideas, and constrained in its potential impact. Change cannot be imposed; but it can be inspired and enabled – which depends on buy-in.

To be effective, any process must be as inclusive as mediation is operationally diverse. It must encompass mediation's sister fields of diplomacy, negotiation and peacebuilding, and its close cousins, reconciliation and transitional justice. Mediation is quintessentially a multidisciplinary endeavour: the process must therefore draw on related fields of science, especially social, psychological and behavioural sciences, anthropology, political science, international relations, economics and indeed war studies. Any process that lacks input from these fields will be limited in quality and impact.

Finally, any process of this kind requires leadership. Such a major undertaking requires vision, collaboration, and skilful management. It would be unwise for the process to depend on the United Nations, although it would substantially benefit from the organisation's endorsement, collaboration and support.[911] This would lend the process legitimacy and encourage wider buy-in, whilst enabling it to benefit from the tremendous knowledge and expertise of individuals within the United Nations system. It may also increase the likelihood of the United Nations adopting and implementing recommended changes with respect to its own structures and practices.

But the process will have the greatest power, legitimacy, and impact if it is led by the field as a whole. Other fields, such as humanitarian affairs and peacebuilding, show that such collaborative endeavours are possible. Mediation actors, including some of the most prominent, with more experience, resources,

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[910] An endeavour that was beyond the scope of this study.

[911] N291

connections and capacity, need to come together to help drive that process forward. If they do, the potential for far-reaching, positive change is enormous.

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Mediation is a limited tool for effecting change. Yet we, as practitioners, are expected to help parties accomplish one of the most difficult tasks that humans can undertake: to bring violent conflict to a sustainable end. It is impossible to know for certain what will be effective in what circumstances; and innate skills, intuition and creativity are hugely important. But that cannot justify a lack of rigour in how we scrutinise and evaluate our own performance. We must search for and seize any opportunity to improve. The implications of war are so horrific that the pursuit of greater effectiveness is not an option but an obligation. We, in the mediation community, should take up that challenge with a deep sense of urgency and commitment.

ACKNOWLEDGEMENTS

This list identifies the 86 individuals interviewed by the author on mediation effectiveness. The list mentions current positions or affiliations, which are correct as at the time the interviews took place in 2020 and 2021. In some cases, interviewees' former roles are also referenced. Thus, the notes are for the purposes of identification rather than to convey biographical information, and they in no way capture the extensive experience and accomplishments of each of the interviewees.

Eldridge Adolfo – Senior Advisor, Dialogue and Mediation, Dialogue and Peace Mediation Unit, Folke Bernadotte Academy

Lord (John) Alderdice – Member, UK House of Lords; Director, Centre for the Resolution of Intractable Conflict, Oxford University

Victor Da Silva Angelo – Senior Adviser, Peace Nexus Foundation; former UN Special Representative in the Central African Republic and Chad, and UN Executive Representative for Sierra Leone

Richard Atwood – Chief of Policy, International Crisis Group

Professor Eileen Babbitt – Professor of Practice of International Conflict Management, The Fletcher School, Tufts University

Betty Bigombe – Mediator; Uganda's Special Envoy to South Sudan; formerly Ugandan minister of state and World Bank director

Guy Banim – Mediation specialist; former Head of the EU Mediation Support Team

Dr Andrea Bartoli – President, Sant'Egidio Foundation for Peace and Dialogue

Emmanuel Bombande – Member of the UN Standby Team of Senior Mediation Advisers; former Director, West Africa Network for Peacebuilding

Markus Bouillon – Chief of Office, UN Department of Political and Peacebuilding Affairs

Jonathan Cohen – Director, Conciliation Resources

Professor Peter Coleman – Professor of Psychology and Education, Columbia University; Executive Director, Advanced Consortium on Cooperation, Conflict and Complexity

Dr Cedric de Coning – Research Professor, Research Group on Peace, Conflict and Development, Norwegian Institute of International Affairs

Geoffrey Corry – Director, Glencree Centre for Reconciliation and Mediators Institute

Roxana Cristescu – Director of European Affairs and Head of Eurasia, Crisis Management Initiative

Dr Esra Cuhadar – Senior Expert, Dialogue and Peace Processes, United States Institute of Peace

Robert Dann – Principal Political Affairs Officer, UN Special Envoy for Syria

Dr Adam Day – Director of Programmes, Centre for Policy Research, United Nations University

Dr Juan Diaz-Prinz – Senior Expert on Mediation and Negotiation, United States Institute of Peace

Francisco Diez – Mediator; member of the UN Standby Team of Senior Mediation Advisers

Jeffrey Feltman – Visiting Fellow in International Diplomacy, The Brookings Institution; former UN Under-Secretary-General for Political Affairs

Dr Ezzedine C. Fishere – Senior Lecturer, Dartmouth College; former Egyptian diplomat and UN official

Glyn Ford – North Korea expert; Director of Track2Asia; former European politician

Juan Garrigues – Deputy Director, Dialogue Advisory Group

Andrew Gilmour – Executive Director, Berghof Foundation; former Assistant UN Secretary-General for Human Rights and Political Director in the Office of the UN Secretary-General

Martin Griffiths – UN Special Envoy for Yemen; former Executive Director of the European Institute of Peace and the Centre for Humanitarian Dialogue

Nicholas Haysom – UN Special Representative for South Sudan; formerly UN Special Adviser on Sudan and on Southern Africa, and UN Special Representative for Somalia and for Afghanistan

Dr Antje Herrberg – Senior Advisor, European External Action Service; former member of the UN Standby Team of Senior Mediation Advisers

Joao Honwana – Former Director, Africa I Division, UN Department of Political Affairs; formerly senior UN official in Sudan and Head of UN Peacebuilding Support in Guinea-Bissau

Dr Julian Hottinger – Senior Mediator, Human Security Division, Swiss Federal Department of Foreign Affairs

Sergio Jaramillo Caro – Senior Adviser, European Institute of Peace; former High Commissioner for Peace in Colombia

Hilde Johnson – Senior Adviser, European Institute of Peace; formerly UN Special Representative for South Sudan, Norway's Minister of International Development, and member of the UN High-Level Independent Panel on Peace Operations

Professor Barney Jordaan – Professor of Management Practice: Negotiation, Conflict Management, Mediation, Vlerick Business School, Belgium

Michael Keating – Executive Director, European Institute of Peace; formerly UN Special Representative for Somalia and UN Deputy Special Representative for Afghanistan

Asif Khan – Chief of Mediation Support and Gender, Peace and Security, UN Department of Political and Peacebuilding Affairs

Martin Kobler – Formerly UN Special Representative for Libya, the Democratic Republic of Congo and Iraq, and UN Deputy Special Representative for Afghanistan; formerly German ambassador to Pakistan, Egypt and Iraq

Dr Andrew Ladley – Mediation specialist; former Senior Adviser, Centre for Humanitarian Dialogue; former member of the UN Standby Team of Senior Mediation Advisers

Karin Landgren – Executive Director, Security Council Report; formerly UN Special Representative for Liberia, Burundi and Nepal

Dr David Lanz – Co-Head, Mediation Program, SwissPeace

Stine Lehmann-Larsen – Deputy Director, European Institute of Peace

Professor Jean Paul Lederach – Professor Emeritus of International Peacebuilding, Kroc Institute for International Peace Studies, University of Notre Dame

Yodit Lemma – Senior Programme Manager, Centre for Humanitarian Dialogue

Dr Emma Leslie – Executive Director, Centre for Peace and Conflict Studies

Claudia Maffettone – Track II Mediation Program Manager, Search for Common Ground

Mirko Manzoni – Personal Envoy of the UN Secretary-General for Mozambique; former Ambassador of Switzerland to Mozambique

Jeffrey Mapendere – Former member of the UN Standby Team of Senior Mediation Advisers

Ian Martin – Formerly UN Special Representative for Libya and Nepal; former Secretary-General of Amnesty International

Brendan McAllister – Reconciliation expert; former member of the UN Standby Team of Senior Mediation Advisers. Sadly, Brendan passed away in 2022.

Richard Melville-Smith – Member of the UN Standby Team of Senior Mediation Advisers

Roelf Meyer – Negotiator; formerly South African government chief negotiator, Minister of Defence and Minister of Constitutional Affairs

Dr Aaron David Miller – Negotiator; Senior Fellow at the Carnegie Endowment for International Peace

Staffan de Mistura – Formerly UN Special Representative for Afghanistan and Iraq, and UN Special Envoy for Syria

Dr Christopher Moore – Mediator, facilitator and author with international experience

Professor Christina Murray – Professor Emerita of Human Rights and Constitutional Law, University of Cape Town; member of the UN Standby Team of Senior Mediation Advisers

Professor Laurie Nathan – Professor of the Practice of Mediation, Kroc Institute for International Peace Studies, University of Notre Dame

Dr Joyce Neu – Former team leader in the UN Standby Team of Mediation Experts, Founding Director of the Kroc Institute for Peace and Justice at the University of San Diego, and Senior Associate Director at the Carter Center

Dag Nylander – Director, Norwegian Centre for Conflict Resolution; former Norwegian special envoy to Colombia

Parfait Onanga-Anyanga – UN Special Envoy for the Horn of Africa; former UN Special Representative for the Central African Republic

Professor John Packer – Professor of International Conflict Resolution, Associate Professor of Law and Director of the Human Rights Research and Education Centre, University of Ottawa

Dr Thania Paffenholz – Executive Director of InclusivePeace and Senior Fellow at the Center on Conflict, Development and Peacebuilding at the Graduate Institute, Geneva

Dr Katia Papagianni – Director for Policy and Mediation Support, Centre for Humanitarian Dialogue

Antonia Potter Prentice – Formerly Senior Adviser at the European Institute of Peace and Senior Manager, Crisis Management Initiative

Jonathan Powell – Chief Executive Office and Founder, Inter Mediate; former chief British negotiator on Northern Ireland

Meredith Preston-McGhie – Director, Global Centre for Pluralism; former Regional Director for Africa, Centre for Humanitarian Dialogue

Rob Ricigliano – Systems and Complexity Coach, Omidyar Group; former director of the World Affairs Institute, University of Wisconsin-Milwaukee

Dr Jose Pascal da Rocha – Mediation specialist; Dialogue Facilitation Officer, OSCE Special Monitoring Mission to Ukraine; Lecturer on Negotiation and Conflict Resolution, Columbia University

Djinnit Said – Formerly UN Special Envoy for the Great Lakes, UN Special Representative for West Africa, AU Commissioner for Peace and Security, and OAU Assistant Secretary-General for Political Affairs

Tamrat Samuel – UN Assistant Secretary-General, Office of the Special Adviser on Africa; formerly UN Deputy Special Representative for Liberia and Nepal

Neha Sanghrajka – Senior Mediation Adviser to the Mozambique Peace Process; former Senior Adviser, Centre for Humanitarian Dialogue

Dr Lisa Schirch – Senior Research Fellow, Toda Peace Institute; Visiting Scholar, School for Conflict Analysis and Resolution, George Mason University

Huda Shafig – Human rights and women's rights activist; Karama organisation, Sudan

Matthias Siegfried – Mediation Adviser, Swiss Federal Department of Foreign Affairs

Dr Randa Slim – Director, Conflict Resolution and Track II Dialogues Program, Middle East Institute

Alvaro de Soto – Mediator; formerly UN Special Envoy for Myanmar, UN Special Adviser on Cyprus, and UN Special Coordinator for the Middle East Peace Process

General Lazaro Sumbeiywo – Mediator; formerly Kenyan Envoy to the Sudan peace process and Intergovernmental Authority on Development mediator for Sudan

Professor Lawrence E. Susskind – Negotiation specialist and author; Professor of Urban and Environmental Planning, MIT – Massachusetts Institute of Technology

Christopher Thornton – Special Adviser, Centre for Humanitarian Dialogue

Felix Tusa – Project Manager, Centre for Humanitarian Dialogue

Dr William Ury – Negotiation specialist and author; Senior Fellow, Harvard University; Co-Founder of the Harvard Negotiation Project and the Program on Negotiation

Luxshi Vimalarajah – Senior Advisor, Mediation and Development, Berghof Foundation

Professor Alex de Waal – Horn of Africa expert; Research Professor, The Fletcher School at Tufts University; Executive Director of the World Peace Foundation

Thomas de Waal – Senior Fellow, Carnegie Europe

Professor El Ghassim Wane – Professor of International Affairs, George Washington University; formerly African Union Adviser and UN Assistant Secretary-General for Peacekeeping Operations

Teresa Whitfield – Director, Policy and Mediation Division, UN Department of Political and Peacebuilding Affairs

Stephanie Williams – Former acting UN Special Representative for Libya; formerly US Deputy Chief of Mission in Iraq, Jordan and Bahrain

Professor Marie-Joelle Zahar – Professor, Political Science, University of Montreal; former member of the UN Standby Team of Mediation Experts