

MEDIATION

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PRACTICE SERIES

1

External actors in mediation

Dilemmas & options for mediators

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Centre for
Humanitarian
Dialogue

The Centre for Humanitarian Dialogue (HD Centre) is an independent mediation organisation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community.

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Foreword

The Mediation Practice Series’ overview

The Mediation Practice Series (MPS) was initiated in 2008 as part of the HD Centre’s effort to support the broader mediation community. This series draws on feedback from mediators who tell us they and their teams often rely upon networks and ad hoc measures to assemble resources to support increasingly complex processes. They work on the basis of their own experience but lack insight into other peace processes. Their staff, both in the field and at headquarters, also find themselves without adequate reference material, which hampers the improvement of mediation practice.

Based on the shared view that mediators often confront similar dilemmas although mediation differs widely across peace processes, the HD Centre has decided to produce a series of decision-making tools that draw upon the comparative experience of track one mediation processes.

Each publication in the series will give readers a concise and user-friendly overview of relevant issues, key dilemmas and challenges that mediators face. They will also provide examples of how these dilemmas were addressed to help others prepare for the potential demands of mediation processes.

Although these publications cannot replace practical experience, it is our hope that they can contribute to a more systematic learning process. The forthcoming publications in this series will be made freely available on the HD Centre's website and will be disseminated through our network and that of our partners.

Each publication is subjected to a thorough peer review by practitioners and support staff with expertise in the relevant topics.

External actors in mediation is the first publication in this series. We wish to thank the author, Teresa Whitfield, as well as the following people for their suggestions and feedback on earlier versions of this publication: Chester Crocker, Sherwin Das, Malik Dechambenoit, Kristian Herbolzheimer, Cynthia Petrih and Francesc Vendrell.

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External actors in mediation

Dilemmas & options for mediators

1 Introduction

Various external actors – understood as those foreign to the conflict theatre – play a central role in the course and conclusion of peace negotiations. Political, economic and other resources at their disposal have the potential to offer much needed reinforcement to a mediator’s efforts. But they can also undermine or confuse the process. In some instances, external actors may have been involved in fuelling the conflict, or may support one or more of the conflict parties. Other more distant actors may frame their involvement in terms that reflect a broad support for peace, yet their interests – especially if rooted in issues such as access to trade and resources – may differ with regard to exactly what that outcome should be. In all cases, a lasting settlement is likely to depend on the achievement of relatively unified external involvement in addition to local ownership by relevant social and political actors.

This paper explores various means by which international mediators may relate to and involve other external

“It is inherent in good mediation that there should be one agent unquestionably and unequivocally in charge.”

—Alvaro de Soto

actors in a peace process. Developing strategies involves consideration of: how to make best use of leverage, assets, knowledge and access that other external actors may have; how to neutralise or block unhelpful external interference; and how to create or encourage a broad base of support for settlement. With an emphasis on “track one” engagement (formal interaction between leaders), the paper addresses the extent to which the identity of a mediator may shape relationships with external actors; emphasises the importance of a clear assessment of the challenges and opportunities they may present; outlines practical options available to mediators, while acknowledging the particular circumstances of each mediation; and concludes with some broad-based suggestions.

2 | Whose mediation?

Most experienced mediators extol the benefits of a clear lead to any mediation effort. Yet who leads the mediation is rarely decided by a rational process. It is instead a result of a combination of demands by the conflict parties, opportunity, the abilities and resources of potential mediators to develop and maintain a role within a given conflict and their credibility with other members of the international community.

Recent years have seen both dramatic growth in mediation and an unprecedented diversity of international mediators (as distinct from the national, or “internal”, mediators whose work and relation to external actors lies beyond the scope of this paper). Three distinct shifts can be discerned. One is a move away from mediations exclusively led by the United Nations towards regional organisations and states; the second is the emergence of a wide array of new arrangements for peacemaking and its support, most notably mini-coalitions of states known as “Friends” or “Contact Groups”; the third is a rise in the involvement of independent international mediators, including private organisations (such as the HD Centre or the Community of Sant’Egidio)

and prestigious individuals, sometimes at the head of their own organisations (the former President of Finland, Martti Ahtisaari, head of the Conflict Management Initiative; former President Jimmy Carter of the Carter Center; former UN Secretary-General Kofi Annan and his Foundation).

These developments emphasise the importance of sequencing in a range of different roles, as a variety of mediators may be involved in a given peace process over a number of years. These developments also explain the increasing prevalence of hybrid negotiations, involving either official bodies such as the UN and the African Union (AU) as in Darfur, or more flexible arrangements, as seen in Kenya, where Kofi Annan led an AU-mandated Panel of Eminent African Personalities but worked with the support of others.

Where UN mediation is widely supported, its representatives are well-placed to convene and build support from relevant external actors.

A related strategy is the UN's involvement of a senior regional figure – as reflected in the appointment of former President Olu-segun Obasanjo of Nigeria as UN Special Envoy for the Great Lakes Region – on its behalf.

Track one mediators engage on the basis of different levels of visibility and legitimacy. They bring with them varying capacities for engaging with conflict parties, particularly non-state armed actors who may be labelled as “terrorists” by individual states and/or multilateral bodies. Their different identities also determine different levels of leverage, as well as quite distinct relations with other external actors with interest in, or influence over, a given conflict.

- **United Nations:** The UN Secretary-General and his representatives work with the advantages of the global organisation's legitimacy and operational breadth. These features can make the involvement of the United Nations either particularly appealing

Kenya

Hybrid mediation in action

The crisis that developed in Kenya in early 2008, after the announcement of contested results to its presidential elections, was a shock to the international community. Its rapid and violent escalation prompted a chorus of appeals for resolution from regional and international actors. Recognition of the need for a unified effort contributed to the establishment by the AU of a Panel of Eminent African Personalities, composed of former UN Secretary-General Kofi Annan as chief mediator, former President Benjamin Mkapa of Tanzania and Mrs. Graça Machel, former first lady of both Mozambique and South Africa.

The mediation led by Annan, who arrived in Kenya on 22 January 2008 and remained fully committed to the effort until agreement was reached on 28 February 2008, drew upon consistent support from external actors. This was facilitated by Annan's unique standing, but also reflected a determined effort on his part. He took time to communicate to all (including the United States) that his track was the central avenue for resolving the crisis and asked others not to take action when such action did not contribute to his process. Internal cohesion was helped by the staffing of his team with officials from the AU and UN, as well as the HD Centre; their shared respect for Annan contributed to a noted absence of institutional rivalries seen in other hybrid efforts. At one point, apparently competing meetings by IGAD and the East African Community led to an element of regional tension. However, the urgency of the crisis encouraged unity of purpose and contributed to Annan's robust support from within the region, from the African Union and from other international actors, including the European Union, the United Kingdom and the United States.

– particularly for non-state actors eager for the legitimacy they see it bestowing upon them – or a prospect to be avoided (by states sensitive to issues of sovereignty and/or precedent). The explicit and tacit support of the UN's member states is a critical element of the organisation's efficacy as a mediator, not least because, without it, the leverage and resources of the Secretary-General will be limited. However, he and his staff are also subject to pressures from individual member states on a range of issues. These include where the member states are parties to a conflict, or external actors with strong views about how a conflict should be approached (such as the United States in the Middle East). In situations where UN mediation is widely supported, its representatives are well-placed to convene and build support from relevant external actors, as well as to hand over to UN peace operations prepared to contribute to implementation.

- **Regional organisations:** Regional and sub-regional organisations and states mediate with advantages of greater proximity to the conflict, knowledge of and sometimes leverage over the parties. However, this strength can also be regional organisations' greatest weakness. Like multilateral organisations, regional and sub-regional organisations are open to pressure by member states, or at least are vulnerable to differences between them. This is most obvious in highly conflictive regions such as the Horn of Africa, but it is also true of Asia, where the Association of Southeast Asian Nations (ASEAN) has been unable to develop an effective role on Myanmar, and the European Union (EU) where a lack of internal cohesion has negatively impacted on EU engagement in conflicts as varied as Georgia and Mindanao. Mediation led by regional organisations has had notable successes, to which the long record of the Economic Community of West African States (ECOWAS) in conflict management in West Africa, the regional facilitation seen in Burundi, or the Inter-Governmental Authority on Development (IGAD)-led peace

process on Southern Sudan, all attest. However, they are also susceptible to domination by a regional power with clear political or military objectives of its own (evident in some of Nigeria's involvements in West Africa through ECOWAS, or Syria's role in Lebanon through the Arab League).

- **Individual states:** Many individual states mediate from positions of relative power and influence over the conflict parties (the United States at Dayton or in the Middle East; Nigeria, South Africa, Libya, Egypt, India and Malaysia in their respective regions). When fully engaged, such mediators have considerable access to, and leverage over, the parties concerned. Their standing within the international community can encourage the support from other external actors that will be necessary to reinforce their efforts at an appropriate time. However, their own interest in a conflict's outcome may be a problem for some. New mediators, such as Turkey, Qatar, Saudi Arabia, Indonesia and Brazil, share proximity to the conflict parties with more traditional regional brokers. Some also have the advantage of credible relations with both the United States and the Islamic world. Unlike Norway and Switzerland – established facilitators who have placed peacemaking at the centre of their foreign policy on the basis of their impartiality within the conflicts with which they engage – their activities may at times be difficult to distinguish from routine bilateral diplomacy.
- **Private mediators:** As weak mediators, private mediators must borrow leverage from others. Whether private organisations or prominent individuals, private mediators have the advantage of being able to engage early and with discretion with conflict parties who may be reluctant to engage with official actors, or identified as pariahs by them (as the role of the HD Centre in Aceh, Nepal and Darfur attests). They may also be able to keep channels open when official channels are frozen, or to explore new options with discretion. Neighbouring states and more distant powers may be suspicious of non-governmental initiatives and thus contact with external actors

can be a delicate matter. Meanwhile, although the early stages of a privately-led mediation can proceed with a degree of confidentiality, the support and cooperation of official actors will be required to reach and sustain a lasting agreement. The capacity of private mediators to link up to power and resources of the official world therefore becomes a critical element of their work.

3 | Identifying challenges and opportunities

Whatever his or her own institutional profile, a mediator's initial analysis of the conflict theatre will reveal a diverse array of external actors. Those that were part of the problem will have to be part of, or at least acquiesce to, the solution too. Others will need to be brought in to ensure the political, practical and financial support required for implementation of any agreement.

Each conflict's external actors bring a different cocktail of interests, potential leverage, logistics and other resources into play. These may be generally positive, in which case coordinating what is on offer in the interests of a coherent strategy becomes the priority. Or they may seek to complicate, or even deliberately spoil the mediation effort, making containment imperative. A mediator may choose different means to foster coordination. As discussed in the options below, a central issue is whether this is best pursued through a group structure or not. They may also choose to seek containment, most usually by rallying support from other international quarters sufficient to de-legitimise and weaken the efforts of spoilers. The one certainty is that external actors cannot be ignored.

“I had to build a spider's web to keep them in but also out.”

— Lazaro Sumbeiywo, of the external actors involved in the negotiations on Southern Sudan

Mediators will be aware that conflict parties' disposition and capacity to engage with external actors varies. In a state-centric international system, most mediation occurs in circumstances of overt state-bias. Some state parties to conflict may balk at the internationalisation of efforts through the involvement of external actors (such as the wariness of Indonesia on Aceh, Thailand on the conflict in its south and Spain on the Basque conflict). In these cases, and others, non-state actors with a clearly articulated sense of grievance have generally been more open to international involvement because they see this as the legitimatisation of their struggle (The Sudan People's Liberation Army (SPLA) in Southern Sudan developed sophisticated strategies for engaging with external actors, who then provided critical support for negotiations, as described opposite). Non-state armed groups with less ideological coherence and/or greater access to their own resources (the Revolutionary Armed Forces of Colombia or Lords Resistance Army in Northern Uganda for example) are likely to pose greater challenges to external actors. This is because they may believe they have nothing to gain from them. In such circumstances mediators may struggle to find effective means to sustain engagement.

Four distinct sets of external actors offer four different kinds of challenges and opportunities, each of which will vary in accordance with the specific circumstances of a given mediation:

- **Regional actors in conflict complexes:** The states bordering on or variously embroiled in regional conflict complexes such as those centred on the Democratic Republic of Congo, Sudan, Afghanistan or the Middle East present serious challenges to any mediation. They may supply weapons and political support to rebel groups or to repressive or unpopular governments, host them on their territory, extract resources for their own gain, or deliberately seek to undermine a peace effort by other means. Building durable regional peace – as efforts in the Great Lakes of Africa, Sudan and Somalia, or the complexity of the Middle East demonstrate – will be slow

Sudan and Darfur

Mediation in the midst of regional rivalries and complexities

Negotiations on Southern Sudan were long thwarted by shifting alliances between the government and the Sudan People's Liberation Army (SPLA), regional states deeply divided over fundamental issues of religion and the self-determination of the South. Competing regional peace initiatives – one led by IGAD generally favourable to the South, and the other a joint initiative by Egypt and Libya supporting the unity of Sudan – struggled to advance. Progress came as support for the IGAD process, led by General Lazaro Sumbeiywo of Kenya, helped contain the rival effort. One critical element was the emergence of an informal “Troika” of Norway, the United Kingdom and the United States, developed by individuals with deep knowledge of Sudan. With the United States exerting particular pressure on the parties, the Troika worked to strengthen the IGAD process and keep other potential mediators at bay. Representatives of the AU, UN and Italy joined as formal “observers” of the process as it moved forward to the Comprehensive Peace Agreement (CPA) signed in early 2005.

The efficacy of external support for the CPA was in contrast to the incoherence of the later effort in Darfur and in particular the negotiations led by the African Union that took place in Abuja in 2006. These were attended by representatives of the UN and EU, Nigeria, Chad, Libya and Eritrea (the latter three with interests of their own at stake) as well as, at different times, of Canada, France, the Netherlands, Norway, the UK and the US. The AU mediation was not able to assert itself and establish unity of effort among the external actors. Competing levels of interest and commitment led to mixed messages and contributed to the parties' intransigence. While some external actors did help force an agreement through, it soon foundered. Joint efforts by the AU and UN, and latterly Qatar, have since been complicated by the fragmentation of the Darfurian parties, the increased involvement of Chad, Eritrea, Libya and persistent differences among external actors, including on issues such as the deployment of UN peacekeepers and the indictment of President Omar al-Bashir by the International Criminal Court (ICC).

and difficult, but cannot be undertaken without either working towards a comprehensive framework for the settlement of interlocking conflicts or ensuring a coherent interface with other negotiation processes within the region.

- **Big neighbours:** A different set of challenges, but also opportunities, is presented by the big neighbours of states in internal conflict. Whether the state in question is Russia, Mexico, India or Ethiopia, no durable solution is likely to be found to conflicts in the Caucasus, Central America, Nepal and Sri Lanka or Somalia that is not at least acceptable to them. Where such neighbours welcome – or tolerate – mediation or facilitation by others, the relationship to them will be a high priority (as Norway recognised in its facilitation of the conflict in Sri Lanka). When the timing is right, the support of these neighbours will underpin a peace process outcome: Mexico was among the closest of partners to the United Nations in its mediation of Central American conflicts; Nepal’s peace process would not have advanced as it did after the king seized power in 2005 without the support of India.
- **Distant partners:** A mediator will also be mindful of contributions made by distant partners, whether states on the UN Security Council, donors, or others with interest and influence in a conflict, such as international financial institutions or multinational companies. At times, these actors may have firmly held positions of their own that impede progress toward settlement (France’s unwavering support of Morocco in the conflict over Western Sahara, for example). But their involvement can more frequently be put to positive use. How and when to engage them will be balanced against issues of confidentiality, but also a mediator’s sense of the progression of the process at hand. When possible, early but frequent briefing of potential partners is likely to help build international support for the effort. Examples include the UN Secretariat’s early interaction with members of the Security Council on the issue of East Timor, which helped prepare it for rapid response to the security crisis

Georgia / Abkhazia

Mediation and the power next door

Mediation of the conflict between Georgia and the secessionist republic of Abkhazia has long been complicated by its regional context. The UN Secretary-General had a peacemaking role from the beginning, alongside a formal role for Russia as “facilitator”. Russian facilitation was undermined by the fact that Abkhaz forces had found military reinforcement from Russian “irregulars”, who had no desire to see an Abkhaz defeat, as well as a widespread reluctance within Russia to countenance a loss of influence in its “near abroad”. Russia nonetheless assumed a peacekeeping role at the head of a force nominally of the Commonwealth of Independent States, even as its clear support for Abkhazia provided a counterweight to a mediation effort largely skewed in Georgia’s favour. Beneath an apparently frozen conflict, the currents of hostility ran deep.

A group of Friends of Georgia was created in 1993 by states (France, Germany, the United Kingdom and the United States, in addition to Russia) with clearly opposed positions on the conflict as well as distinct levels of interest in its outcome. Successive UN mediators worked with a group re-named in 1997 as Friends “of the UN Secretary-General”, but were never able to overcome two fundamental flaws. The first was the enduring importance to Russia of Georgia and the significance of Abkhazia in relations between the two. The second was that differences between the principal external actors widened. To Russia’s evident frustration, the “western Friends” (long perceived as partial by the Abkhaz for their robust defence of Georgia’s territorial sovereignty) encouraged Georgia in aspirations that included one day joining NATO. No confidence in a negotiated solution could be built and a complex spiral of events descended downwards towards the open conflict seen between Georgia and Russia in August 2008.

that developed in 1999, as well as the groundwork laid by the Troika on Southern Sudan, which helped facilitate a meeting of the Security Council in late 2004 to support the IGAD-led peace effort. In cases where engaged donors are funding a peace process (as in the Abuja talks on Darfur), a mediator may face unwelcome pressure to prioritise a quick agreement over a more lengthy process that might offer better chances for a lasting settlement.

- **Other mediators:** Competitive peacemaking, or the appearance of competitive peacemaking, is an unpleasant reality in today's crowded mediation field. From Darfur to Nepal and Zimbabwe, mediators have found themselves acting in parallel or at cross current to other state, non-state and multilateral actors pushing for involvement in the peacemaking effort. With a clearly identified lead frequently elusive, mediators and would-be mediators repeat the mantra of coordination, but have put it in practice with varying degrees of credibility. In addition to the unnecessary duplication of resources, negative consequences include encouraging a tendency for forum shopping among conflict parties. The problem is particularly acute in the period before formal talks take shape, when multiple would-be mediators can appear to pursue involvement in a peace process. Creation of the impression that conflict resolution is supply – rather than demand – driven does not do the mediators themselves, the conflict parties, or, more grievously, the conflicts' victims, any service.

4 Options

Mediators seek to encourage unity of effort, maximise the influence on and assistance to conflict parties and build support that will be sustained through the implementation and peacebuilding that will follow any negotiated settlement. Most eschew the idea of collective mediation, but look for external actors prepared to

follow their lead, open to the possibility of developing complementary initiatives, and/or ready and able to make a substantial contribution to the peacemaking effort. What this involves will vary in accordance with the capacities and resources of the external actors, as well as the characteristics and requirements of the specific mediation. But it is likely to include some combination of logistical, substantive and financial support to the mediation itself, assistance to, encouragement of and/or pressure on one or more of the conflict parties, public support of the process and any resulting agreement in order to build credibility and enhance legitimacy and economic and perhaps even security guarantees for the implementation process.

A variety of strategies are available to mediators as they engage with external actors. In recent years, the creation of some kind of group structure has become an increasingly common practice. There are advantages and disadvantages to this approach. The potential benefits of grouping the external actors in some way - including enhancing the leverage of the mediator, raising the visibility of the peace process, pre-empting rival mediation initiatives and preparing for sustained support in implementation – can be attractive.

However, groups have disadvantages too and, whether self-selecting or a creation of the mediator, should be initiated only after careful consideration. The question of composition will be sensitive, as small groups, while undoubtedly more effective, risk excluding, and thus offending, significant potential partners. If a group's members are not like-minded in their approach to a conflict, inter-group dynamics may devolve into complex negotiations of their own. A strong and cohesive group, meanwhile, can overwhelm the mediator and the mediation if it is not satisfied with the direction taken. A clear sense of what each external actor can contribute to the overall mediation strategy should inform its involvement from the beginning.

A strong and cohesive group can overwhelm the mediator and the mediation if it is not satisfied with the direction taken.

- **Groups of friends:** When mediators have a recognised lead of the process they have sometimes found a small group of states gathered as “Friends” to be useful. Many of the specific benefits a group can bring were evident in the first such mechanism, the Friends of the UN Secretary-General for El Salvador. This brought leverage, information and practical help to the mediator (the Secretary-General’s Personal Representative Alvaro de Soto), legitimacy and influence to the states in the group (Colombia, Mexico, Spain and Venezuela), a level of equilibrium as well as technical and other assistance to the parties to the conflict (the government of El Salvador and the guerrillas of the Farabundo Martí National Liberation Front, FMLN) and attention, resources and strategic coordination to the peace process as a whole.

“Friends of the mediator can be a useful device, but must be preceded by prior clarification of the cardinal rule, which is a commitment to work only – or at least principally – at the behest of whoever is responsible for the mediating effort.”

— Alvaro de Soto

In some cases, friends or related groups have been formed by the mediator (as in El Salvador, or the UN’s Core Group on East Timor) while in other instances (including groups of Friends of Georgia and Western Sahara formed in the early 1990s, as well as Friends of the Guatemalan Peace Process and later groups such as the Troika on Southern Sudan or Core Group on Uganda), they have been self-selecting, leading mediators to adapt their strategies accordingly. In some of these cases, members of

groups have been like-minded in their approach to the conflict and mediators have been able to build effective partnerships with them. In others, fundamental differences within the groups (Georgia and Western Sahara stand out) reflect the conflict’s underlying intractability. Mediators can at times work effectively with the group to prevent the deterioration of the conflict or ad-

dress other crises that may arise. However, they are unlikely to be able to alter its underlying dynamics.

- **Bringing in the region:** Regional mediators in Africa, Asia and Latin America (where conflicts tend to manifest as internal political crises, such as those seen in Bolivia in 2008 and in Honduras in 2009) gain in legitimacy and support from the backing of relevant regional or sub-regional organisations. At times, mediation-specific groupings – such as the range of structures developed within ECOWAS, the AU Troika on Comoros, or the Organisation of American States’ (OAS) Friends of Bolivia – have provided added reinforcement to the mediation effort. Less frequently, joint mediation structures have been formed, such as the Joint Mediation Team on Madagascar (of the AU, Southern African Development Community (SADC), UN and International Organisation of the Francophonie). However, the relative weakness of some sub-regional structures (competing initiatives between IGAD and Egypt/Libya in Sudan negotiations, or the later involvement of Chad, Eritrea and Libya in Darfur, the perennial problem posed to IGAD by Somalia or SADC’s ineffectiveness on Zimbabwe) have exposed vulnerability to the interests of some of the states involved. Mediators from further afield have no option other than to seek to make their efforts complementary with those critical regional actors, but work on the basis that their ability to do so may be limited.
- **Contact groups:** As vehicles for the direct diplomacy of major powers, Contact Groups can represent a mixed blessing for mediators. Reaching agreement within them will generally be a necessary prerequisite to moving towards a solution of the conflict at hand, but is unlikely to fall within the competencies of an outside mediator. A Contact Group first appeared in Namibia, crafting the plan that became the basis for the Namibian settlement. The Contact Group on the former Yugoslavia was created in 1994, in part to circumvent the United Nations, and has remained a means for the states with the

Liberia

Regional and international support at last

Analysts differ on whether the Comprehensive Peace Agreement signed in Ghana in 2003 was the fourteenth or fifteenth peace agreement for Liberia since war began in 1989. Earlier agreements, reached between 1989 and 1995, had been mostly under the leadership of the sub-regional organisation ECOWAS and had taken place in parallel to the successive deployment of ECOWAS troops, with the strong backing of Nigeria. A multi-party agreement reached in 1995 led to elections in 1997 that were won by Charles Taylor. His repression of political opponents at home and continued destabilisation of neighbouring Sierra Leone exacerbated instability across the region. During 2002 pressure for peace talks came both from within Liberia's increasingly active civil society and, increasingly, from outside as well. An International Contact Group on Liberia (ICGL), jointly led by ECOWAS and the EU, was established in the latter part of the year. It was to prove an effective means to raise awareness of the crisis in Liberia, exert pressure on Taylor and harness regional and international support for change.

The selection of General Abdulsalami Abubakar, the former president of Nigeria, as the chief mediator emerged from discussions between the chair of ECOWAS and Taylor himself. Abubakar's stature contributed to talks that took place under intense international pressure. Both the United States and the European Union/European Commission provided active reinforcement of his efforts. At times, this was manifested by their expression of frustration at the slow pace of progress for both financial and political reasons, but it also included exerting pressure on the parties, drafting some elements of the agreement (not all of which ECOWAS accepted) and committing resources for its implementation. The talks' successful conclusion in a Comprehensive Peace Agreement in August 2003 and the peace that has held in Liberia since that time represent a notable example of coherence in local, regional and international efforts to pursue the peace that had for too long eluded the suffering population of Liberia.

most obvious interest in regional stability (France, Germany, Italy, Russia, the United Kingdom and the United States) to hammer out their differences. The protracted discussions over the final status of Kosovo demonstrated the options open to an experienced mediator (former President Ahtisaari) in engaging with a Contact Group, but also their limits. He met regularly with both the conflict parties and the Contact Group and, on that basis, developed a plan for settlement of the status of Kosovo. However, the plan was accepted neither by Serbia nor, within the Contact Group, by Russia, and on this his effort foundered. The case stands in contrast to that of Liberia, where the ECOWAS/EU-led Contact Group, as described opposite, provided essential reinforcement to the mediation effort.

- **Preferring flexible support:** Some mediators prefer more flexibility in their interaction with external actors and deliberately avoid formal structures (whether for reasons of time and expediency, as in the case of Kenya, or as a consequence of issues related to composition, as in Sri Lanka). Both Lakhdar Brahimi's negotiation of the Bonn agreements on Afghanistan for example and the UN's various mediation efforts on Cyprus since 1999 (led by Alvaro de Soto until 2004 and by Alexander Downer since 2008), depended on the direct engagement of neighbours with strongly vested interests and close partnerships with a range of other external actors. In each case, the creation of a group structure would have involved difficult decisions as to which states to include, and which not. The United States' role in Afghanistan in the wake of the attacks of September 2001 was determinant, although necessarily supplemented by other prominent actors (including Russia, Germany and Italy, as well as regional actors). On Cyprus, the UN worked particularly closely with the United States and the United Kingdom, as well as the European Union in addition to Greece and Turkey, whilst also engaging with other interested states.

- **The independent mediator:** As the field of private mediation has grown, so has the realisation that its success will depend on an ability to reach up to and involve official actors. This was ably demonstrated in the Community of Sant’Egidio’s involvement of interested states (France, Portugal, the United Kingdom and the United States), and then the United Nations, in its negotiation of a settlement for Mozambique, first informally and then as “observers” of talks in Rome it co-chaired with Italy. These five interested states and Germany later formed a Core Group to support the implementation of the agreement under the auspices of the United Nations. Those independent mediators who are prominent in their own right have certain advantages in aligning official actors. However, from its involvement in Aceh onwards, the trajectory of the HD Centre has also illustrated a growing ability to build networks (including through its annual hosting, with Norway, of the Oslo Mediators’ Forum) and engage with relevant external actors at an early stage. HD’s presidency of the preparatory committee for the internal dialogue in the Central African Republic, for example, was undertaken at the UN’s request. It involved close consultation with France, as well as with regional actors such as the late President Omar Bongo of Gabon.

5 | Suggestions for mediators

Mediation is a delicate art, as well as an increasingly professional endeavour. Its complexity is rooted in the multitude of factors that will impact upon a process’ outcome. These make it difficult to establish a direct causal relationship between particular elements of a mediation and its success or failure, but should not impede the development of a body of knowledge derived from best practice and experience.

Most mediators are aware of the importance of external actors to the outcome of their efforts. Yet the demands upon their time

Indonesia / Aceh

Private peacemakers reach out

Indonesia's desire not to "internationalise" the conflict precipitated by the independence struggle in Aceh led it to seek non-governmental mediators. The first set of negotiations, facilitated by the HD Centre between 2000 and 2003, broke down five months after the signing of a Cessation of Hostilities Agreement (COHA) in December 2002. The second was given impetus both by Indonesia's first direct elections for president in 2004 and the devastating tsunami that struck that December. Facilitated by former President Martti Ahtisaari and his Crisis Management Initiative, which had been contacted by both parties before the tsunami, talks held in Helsinki concluded in agreement in August 2005.

Conscious of its lack of leverage in Aceh, the HD Centre had consulted closely with interested external actors, particularly the United States. As the confidence of the parties in HD's involvement grew, so it was able to expand the role of international actors, seeking support for its efforts both from an informal group of former statesmen from a variety of countries (the "Wise Men") and from influential donors (the European Union, Japan, the United States and the World Bank) gathered in a "Group of Four". The wise men attended talks and travelled to Jakarta and Aceh on HD's behalf. The donors used what leverage they were able to bring to bear within Indonesia and offered a variety of logistical and political support. Ahtisaari's stature as a former head of state was clearly an element of his appeal to the Acehnese and Indonesian parties. When talks resumed under his auspices in early 2005, things moved quickly. The EU assumed a supportive role from the beginning; indeed an EU-funded network of specialists helped reach out and gather ideas reflecting views on the ground in Aceh. Believing that NGOs should not monitor peace agreements, Ahtisaari approached the EU and ASEAN (an important regional counterweight to the EU) to secure their agreement to launch a joint monitoring mission to oversee implementation of the August 2005 agreement.

and capacities are multiple, and usually complicated by the rapid and unpredictable development of events. As mediators approach this challenging area of their work, they should prioritise an approach to external leverage that is imaginative, flexible and case-specific rather than based on any formulaic approach. Three specific suggestions can be identified:

- **Develop understanding of the complex interplay between conflict parties and regional and other external actors.**

Mediators can benefit by consulting, at an early opportunity and throughout the course of their mediation, those with detailed knowledge of the conflict and its regional and international dynamics. In addition to publicly available sources of information

(such as that provided by the International Crisis Group), mediators will gain from the cultivation of a variety of sources (academics, journalists, locally posted diplomats, international and local NGOs, informal networks) located in or near the conflict theatre and further afield. Whilst issues of confidentiality may be a concern, much can be learned from such sources without divulging sensitive details of the mediation itself, which interlocutors will – or should – understand remain the purview of the mediator.

“An honest broker can be an irrelevant broker as well if (s)he does not carefully manage his or her relations with the relevant members of the international community.”

— Lakhdar Brahimi and Salman Ahmed,
“The Seven Deadly Sins of Mediation

- **Invest time in building and maintaining international support.**

Patience is one of the core requirements of any mediator. As a virtue, it is likely to be tested in a mediator's interactions with his/her international partners and interlocutors no less than in relations to the conflict parties. Building and maintaining support can only be achieved on the basis of careful and repeated attention to regional and international actors including, where appropriate, members of the Security

Council. In these interactions, mediators should not underestimate the need to brief multiple representatives of a single state or organisation (in the field, in capitals or at the United Nations), as coherence in the approach of a national or institutional actor can be elusive.

- **Be alert to the risk of partiality or the appearance of it.**

Mediators may be subjected to extraordinary levels of pressure from external actors who seek to influence the process in accordance with their own interests in its outcome. Mindful that the utility of his/her role as a peacemaker will stand or fall on the maintenance of credibility with the conflict parties, mediators should be wary of hewing too closely, or appearing to hew too closely, to positions or actions readily identifiable with an external actor, or a group of external actors, that will undermine his/her impartiality and negatively impact upon the process. Clearly, establishing a balance between building coherent support for his/her efforts among international partners, and maintaining independence from them in the eyes of the conflict parties is a difficult endeavour.

Further reading

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