

Strengthening the Practice of Peacemaking and Preventive Diplomacy in the United Nations: The UNITAR Approach



EDITED BY CONNIE PECK AND ELEANOR WERTHEIM

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and Preventive Diplomacy in the United Nations:
The UNITAR Approach**

Edited by

Connie Peck and Eleanor Wertheim



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“Opportunities should be created for United Nations staff, throughout their careers, to acquire professional mediation know-how commensurate with the preventive diplomacy and peacemaking responsibilities of the Organization and to train a large number of our regional specialists in these techniques. . . I appeal to Member States to support the existing training programmes for staff from the United Nations and regional and subregional organizations in these areas, most of which are funded from voluntary contributions.”

– Report of the Secretary-General to the Security Council on enhancing mediation and its support activities (S/2009/189), 8 April 2009, p. 19.

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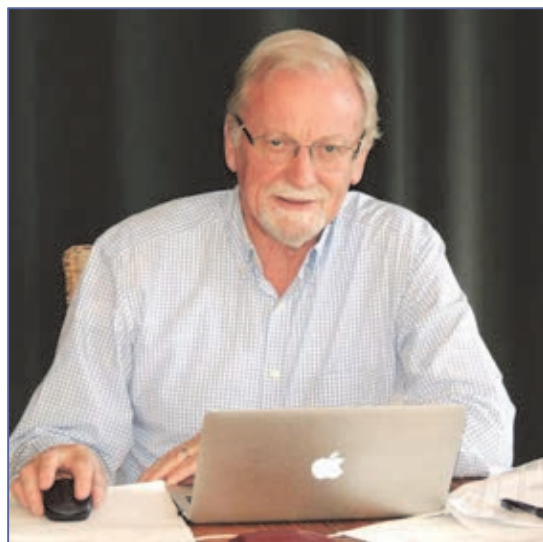
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Foreword

GARETH EVANS

Connie Peck and her colleagues are insufficiently acknowledged international heroes. The Fellowship Programme that this book celebrates has played a critical role over the last two decades in developing the culture of conflict resolution and prevention that is genuinely now taking root in the United Nations system. New initiatives appear every year for recording lessons learned, supporting negotiation and mediation efforts, and building new and ever more effective institutional mechanisms. Without the 730 alumni of this Programme, many now in senior positions and crucial support roles, we would not be remotely so far advanced.



The Honourable Gareth Evans

I had a sense from the very beginning that big things were achievable. When I was Foreign Minister of Australia, back in 1992, Connie Peck—then a Reader in Psychology at one of our local universities—came to me with a proposal to examine how the UN might improve its effectiveness in conflict prevention and resolution. I liked her focus, energy and enthusiasm and found a way—I'm not sure in retrospect how on earth I managed this—to post her to the Australian Permanent Mission to the UN in New York as my Special Consultant to interview UN staff and diplomats and to develop a set of recommendations.

There she discovered, among many other things, that the Organization seemed to be forever condemned to repeat its mistakes. There was virtually no systematic recording of institutional memory. Every effort at peacemaking started from square one: a formula for forever flying by the seat of one's pants. Prevention measures were undertaken far too late or mostly not at all: everything learned was almost immediately forgotten. Equally startling was the complete absence of training for UN staff in negotiation and mediation, already an established field in academia and key to effective peacemaking and preventive diplomacy. The myth still prevailed that

mediators could only be born, not made. It was obvious, but utterly unacknowledged, that without systematic professional training in this area, the Organization would simply be unable to effectively address the myriad conflict-related problems it faced around the globe.

Step by step, during her time in New York, Dr. Peck began working on ways to fill these critical lacunae in the UN system. Her first major effort is the subject of this book: the UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy, which she established in 1993 and is now 20 years old. This is a programme for experienced UN staff, personnel from regional organizations, and diplomats working with the UN, and it has established a stellar reputation for excellence. The Australian Government, I am proud to say, provided seed money to get it off the ground, and further support over the years, together with many other contributors. Norway, with the generosity and commitment for which it is famous, has now hosted the Programme for many years.

The Fellowship Programme is by no means the end of the story. Under the umbrella of the wider UNITAR Programme in Peacemaking and Conflict Prevention, again a Connie Peck brainchild and legacy, the Fellowship Programme spun off into a number of other training programmes modelled on its curriculum. These include one specifically for participants from the African continent and another for representatives of indigenous peoples.

To overcome the problem of a lack of institutional memory, Dr. Peck launched the UNITAR Programme for Briefing and Debriefing Special Representatives and Envoys of the Secretary-General to share and record the valuable experience of UN peacemakers and peacekeepers at the highest level. One part of this is an annual seminar to provide a regular forum for the exchange of ideas and experience amongst the most senior appointees in the UN system. A second part, aimed more at institutional memory, is a book, *On Being a Special Representative of the United Nations Secretary-General* (now in its second edition), brilliantly compiled from her extensive interviews with SRSGs. She has now condensed that volume's most important lessons into the shorter *Manual for UN Mediators: Advice from UN Representatives and Envoys*. Both are available to all newly-appointed and serving SRSGs, their staff, as well as more generally to staff in the Departments of Political Affairs and Peacekeeping Operations.

Connie Peck has further influenced the UN system in other writing. Some years ago, I had the honour of providing the Foreword for another of her books, *The United Nations as a Dispute Settlement System: Improving Mechanisms for the Prevention and Resolution of Conflict*. That work, as well as her next book, *Sustainable Peace: The Role of the UN and Regional Organizations in Preventing Conflict*, made specific proposals

for UN reform, many of which have since been adopted, including a dramatic increase in the staff and travel budget of the Department of Political Affairs, so that it can more effectively carry out its mandate in peacemaking and preventive diplomacy. And some of her most ambitious practical proposals have begun to see the light of day, for example, her call for the establishment of regionally-based “UN Conflict Prevention and Resolution Centres.” Initially considered a radical idea, centres such as the UN Office for West Africa, the UN Regional Centre for Preventive Diplomacy for Central Asia, and the UN Regional Office for Central Africa have now been established and are showing their worth.

Other ideas have been articulated in Peck’s *Increasing the Effectiveness of the International Court of Justice*; many journal articles and book chapters (including her important contribution to my own 1993 book, launched at the UN, *Cooperating for Peace: The Global Agenda for the 1990s and Beyond*) and, ultimately, her authorship of the first-ever “Report of the Secretary-General to the Security Council on enhancing mediation and its support activities.” Connie Peck has now turned over the management of the UNITAR Programme in Peacemaking and Conflict Prevention to her trusted colleague, Trisha Riedy, but she still organizes the Fellowship Programme as a Consultant to UNITAR. Her legacy will live long.

I applaud the enterprise involved in this volume in setting down an outline of the core curriculum developed and refined by the Fellowship Programme’s distinguished faculty over the last two decades. It’s a vital continuing part of learning from experience, learning from experts, transmitting knowledge and experience to future generations, and learning above all not to reinvent the wheel—putting lives at risk in the process. This compendium of this very seminal work will be a hugely valuable resource for all those interested in conflict prevention and resolution through the United Nations. And it will be a continuing inspiration for all future efforts to shape the UN into the truly effective force for international peace and security that its founders envisioned, and on which respect for and protection of our common humanity so obviously continues to depend.

Gareth Evans was Foreign Minister of Australia from 1988-96, and President of the International Crisis Group from 2000-09. He is now Chancellor of The Australian National University.

Training UN Staff and Diplomats: The UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy

CONNIE PECK

This past year marked the 20th anniversary of the UN's first training programme in peacemaking and preventive diplomacy. To commemorate this, one of our long-standing resource persons with substantial experience in preventive diplomacy, Professor John Packer, suggested that we publish this book to share the concepts introduced in the Fellowship Programme with a wider audience and to highlight the programme's unique contribution to strengthening capacity in peacemaking and preventive diplomacy within the international system.

We are most grateful to the Ministry of Foreign Affairs of Norway for funding this publication and for Norway's ongoing support to the programme over so many years. This assistance will also allow us to distribute the book widely to all permanent missions to the UN, relevant UN departments and agencies, regional and sub-regional organizations, relevant non-governmental organizations, alumni and future participants.

The following chapters have been written by the programme's distinguished resource persons who have so tirelessly contributed to this endeavour over such a long period. Taken together, their chapters offer the latest available knowledge and understanding of best practices in conflict resolution and prevention in the international context. To make the chapters easily accessible, we have asked them to provide only the essence of their messages. The opportunity to test this theory through practice, an essential element of the Fellowship Programme that makes the concepts truly come alive, is unfortunately not possible in a book format and only available to those who attend the programme.

To convey the richness of the learning experienced by the many senior and middle-level UN and regional organization staff and diplomats who have completed the programme, we have included a sample of testimony from their evaluations (see pages 141-154). We have also used photos to highlight the invaluable interaction (both

formally during sessions and informally during breaks) between highly experienced resource persons and participants from around the globe.

Of course, none of this would have been possible without the indispensable contributions of our donor governments and foundations over the past two decades. The Ministry of Foreign Affairs of Norway has hosted the Fellowship Programme for the past 12 years and will do so again in 2014. For the programme's first eight years, the Federal Ministry for Foreign Affairs of Austria (now the Federal Ministry for Europe, Integration and Foreign Affairs) was our host. We are most grateful to them and to the other donors who have provided vital support along the way, including the Governments of Australia, Canada, Cyprus, Finland, Germany, the Netherlands, Sweden, Switzerland and the United Kingdom, as well as The Carnegie Corporation of New York, The William and Flora Hewlett Foundation, The McKnight Foundation and The United States Institute of Peace. See Chapter 17 for more detail on their contributions.

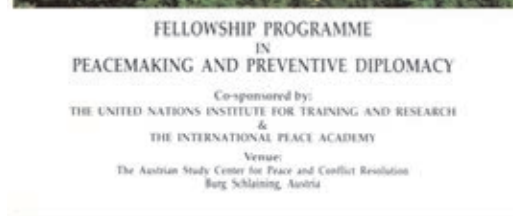
Origins of the Fellowship Programme

The idea for the Fellowship Programme originated in 1992 during my tenure as a Special Consultant to the Minister of Foreign Affairs of Australia, the Honourable Gareth Evans. I had approached him the previous year (following the failure of the international community to prevent the first Gulf War, despite ample early warning) with a proposal to study and make recommendations for strengthening preventive diplomacy and peacemaking within the UN system. At the time, I was Chairperson of the Institute for Peace Research at La Trobe University, a Reader in the Department of Psychology and a scholar/practitioner in conflict resolution. After a trip to New York to test the idea, I was appointed to work on the project from the Permanent Mission of Australia to the UN. Over several months, I held extensive consultations with senior and middle-level staff in UN departments and agencies and with many diplomats in the permanent missions, as well as attending and speaking widely at meetings and organizing a major seminar for the UN Secretariat in the lead-up to *An Agenda for Peace*.

I soon discovered that there was little in the way of a “culture of conflict prevention and resolution” and, in some quarters, the concept even met with hostility. Instead, the culture was one of “reaction and crisis management” and the practice was “too little, too late.” I was also dismayed that there was little awareness of the growing literature on the interest-based, problem-solving methodology of conflict resolution that was being studied in universities around the world. I was even more amazed to learn that there was *no training of any kind* within the UN system for UN staff and diplomats in negotiation and mediation—nor had there ever been!

From many hours of discussions, I became convinced that to introduce and build a true “culture of conflict prevention and resolution” would require a long-term, sustained effort that would involve providing key individuals an opportunity to work with new ideas, approaches and skills. It appeared that the only way to do this was through the creation of advanced training for senior and middle-level UN staff and diplomats, which might gradually influence enough people to bring about reform in the UN’s methodology and practice. I determined to create such a programme.

I drafted a proposal describing the urgent need for this kind of capacity building and approached the United Nations Institute for Training and Research (UNITAR) and the International Peace Academy—now called the International Peace Institute (IPI). The heads of both institutions expressed interest, but had no funding for such a project. I then approached Gareth Evans, who was able to provide seed money from the Australian Government. Subsequently, I resigned my senior, tenured academic position in Australia and went to UNITAR in Geneva on a six-month, half-time appointment (as that was all the money there was at the time) to establish the Fellowship Programme. In the next few months, the Governments of Sweden and Austria also agreed to support the programme and Austria offered an intriguing venue at the castle of Burg Schlaining (south of Vienna). Since I was eager to include both resource persons who studied conflict resolution and those who practised it, I selected a group of highly respected scholars and experienced practitioners and we worked together to design an appropriate curriculum.



Attractive brochures were printed and sent with application and nomination forms to the heads of all relevant UN departments and agencies, as well as to all permanent missions in New York and Geneva, and to the Secretaries-General of regional organizations, inviting nominations for the programme. There was an enthusiastic response and, after a careful selection process, the first Fellowship Programme in Peacemaking and Preventive Diplomacy was held in Burg Schlaining in September 1993, with participants and resource persons from around the world.

Over the years, the curriculum has been continually refined, with careful evaluation of what was most effective, based on feedback from participants and resource persons. Exercises and simulations were modified and new ones designed to be maximally suitable to the unique needs of this group. The authors who feature in this book (as well as the large number of other eminent resource persons who are listed on pages 135-140) have all contributed significantly to this development. Particular mention, however, should be made of the seminal role played by Professor Eleanor Wertheim (one of the editors/authors of this book) who has travelled from Australia every year to not only teach in the two week programme but also to help manage every aspect of its implementation (from the meetings we conduct every evening with resource persons to perfect the learning process to ensuring that participants are all comfortable). She also offers a plethora of new ideas and prepares annual planning notes based on discussions with organizers, resource persons and participants, summarizing ideas for enhancing the quality of the following year's programme.

Participation in the Fellowship Programme

Participation in the Fellowship Programme is highly selective. A given number of places are allocated each year to relevant UN departments and agencies for departmental and agency heads to nominate staff (including field-based staff) according to institutional needs. However, the qualifications of even these nominees are carefully examined. As well, application and nomination forms (together with brochures) are sent to all permanent representatives of permanent missions to the UN in New York and Geneva and they are urged to nominate relevant staff in their missions or their foreign ministries for consideration. Similar letters are also sent to the Secretaries-General of all regional organizations. In all cases, the nomination of qualified women is encouraged.

In addition to providing basic information, applicants submit a curriculum vitae and a statement detailing reasons for applying, main fields of professional interest, how the applicant hopes to use the information, how the applicant's organization will benefit and any previous experience in negotiation or mediation, as well as a rating of competence in English. Those nominating are asked to provide similar information, as well as to comment on how suitable the applicant is for such a programme in terms of education, work experience, and personal characteristics. They are also asked to comment on the applicant's strengths and weaknesses that might be relevant to training in conflict resolution.

Every year, a large number of applications is received. They are very carefully assessed and only those who are most qualified and whose work is directly tied to the objectives of the programme are selected, with many candidates necessarily turned away because of the limitation on numbers (although qualified applicants who are not accepted are

invited to re-apply the following year). Approximately half of those selected are UN staff and the other half are from regional organizations and Member States. As well, each year an attempt is made to obtain satisfactory gender and regional balance.

Over the years, we have become increasingly skilful at selecting the most suitable participants, most with post-graduate degrees and many with extensive field experience, a fact often commented upon by our resource persons. As a result, the level of discourse throughout the programme (both within sessions and informally) is extremely high-level and rewarding for all. Participants always mention that they appreciate the richness of the interaction with such a diverse group of individuals, from different UN departments/agencies, ministries or regional organizations. Relationships forged during the Fellowship Programme are often maintained for years afterwards, with participants reporting many useful benefits from having a network of colleagues in different parts of the international system to call upon when their work requires it.

Structure of the Fellowship Programme

From the beginning, the programme's objective has been to provide participants with the latest knowledge and skills in conflict prevention and resolution, combining theory



with the opportunity to practise what is being learned through exercises, role-playing, simulations and feedback. As well, experienced mediators offer lessons learned from their own experience.

For the past 12 years, the programme has been held at the Soria Moria Conference Centre in Holmenkollen (in the hills above Oslo). Soria Moria is a dedicated

conference centre with excellent facilities, 4-star service and top-of-the-line plenary and break-out rooms. The venue offers a retreat-like atmosphere with lovely surroundings and an abundance of pleasant walks which Fellows often enjoy taking in groups after sessions. Since participants arrive from around the world, all are asked to arrive the day before the programme begins, so that everyone will be there on time and be able to rest and overcome jetlag before the first session. A formal welcoming reception (with introductions) and dinner are held the first evening before the programme begins.



The midnight sun at Soria Moria

In the first week, Fellows are presented with a framework for understanding how disputes begin, escalate and are resolved, including an overview of the sources of conflict (Chapter 2) and the various transformations that occur during escalation (which serves to highlight the importance of preventing conflict at an early stage). The distinction between traditional, power-based forms of negotiation/mediation and problem-solving methods is discussed, including the advantages of the latter in terms of outcome (Chapters 4 and 7). The spectrum of conflict-handling mechanisms is also discussed in terms of conflict suppression, management, resolution, prevention and transformation (Chapter 3). A systematic introduction to the theory of interest-based, problem-solving negotiation (Chapter 4) is followed by practice in conflict analysis (Chapter 5) and negotiation skills through a series of exercises, simulations, role-playing and feedback (Chapter 6). Participants are then given the opportunity to practise the skills needed for effective negotiation, including listening and summarizing; identifying issues, interests and positions; creating and combining innovative options based on interests; searching for principles or precedents upon which to base solutions; controlling emotions and managing unfair negotiation tactics.



Dr. Connie Peck on her way to greet Fellows arriving at Soria Moria

During the second week, Fellows are given training in third-party mediation which systematically builds on what they have learned during the first week. They consider how to structure mediation, including who should be at the table and how to ensure an inclusive process, with women and other important constituents involved (Chapters 8 and 9). They practise how to set procedural rules and agendas; determine interests and create and package innovative solutions; maintain control over the proceedings; and draft agreements (Chapters 10 and 11). To overcome the problem of finding suitable simulations, a real conflict situation is used over a three-day period, during which Fellows have the opportunity to practise mediation skills first-hand. The importance of comprehensive peace agreements that address all of the issues in dispute is also considered, as well as what can be learned from other peace agreements (Chapter 12). Throughout the programme, case studies of conflict situations are presented by those who have been actively involved in resolving them. These sessions are particularly useful for discussing ways to address challenges and obstacles to real-life conflict resolution and for summarizing lessons learned from this experience (Chapters 13 and 14). Reconciliation as a means of preventing future conflict is also discussed (Chapter



UN Special Envoy Terje Roed-Larsen signs certificates as President of IPI

15). Finally, the importance of creating effective conflict prevention mechanisms is highlighted (Chapter 16). Participants are also given a set of carefully selected readings and a bibliography, both updated annually. The programme concludes with an anonymous evaluation followed by a formal farewell dinner and the awarding of certificates. All participants are asked to remain for this event in order to provide a sense of closure.

Twenty years after its inception, the Fellowship Programme has gained a reputation for excellence. To date, the programme has provided training to 730 participants who have deepened their knowledge and strengthened their skills through participation. These include UN staff from the Office of the Secretary-General, the Department of Political Affairs, the Department of Peacekeeping Operations, the Office of Legal Affairs, the Office for the Coordination of Humanitarian Assistance, the High Commissioner for Human Rights and the High Commissioner for Refugees; a large number of diplomats from Member States; as well as staff from regional organizations, including the African Union, the Organization of American States, the European Union, the League of Arab States, the Organization for Security and Cooperation in Europe, the Organization of Islamic Cooperation, the Association of South-East Asian Nations and the Pacific Islands Forum.

Many of these individuals have since climbed through the ranks of the UN Secretariat, their ministries of foreign affairs or their regional organizations and now hold positions of considerable influence and authority. Some have become senior members of the UN Secretariat and Special or Deputy Special Representatives of the Secretary-General. Others have become Permanent Representatives of their countries to the United Nations (one of whom recently served as President of the Security Council) or taken up other senior postings in their ministries.

Further Developments of the UNITAR Programme in Peacemaking and Conflict Prevention

As part of the programme's overall strategic approach to increase the knowledge and skills necessary for more effective conflict prevention/resolution within the international system, the Fellowship Programme has been the springboard for a number of other initiatives.

To describe all of these is well beyond the scope of this chapter, but one was a book (Peck, C. *The United Nations as a Dispute Settlement System: Improving Mechanisms for the Prevention and Resolution of Conflict*, published by Kluwer Law International with a foreword by Gareth Evans) produced with a grant from the Ford Foundation. It outlined reforms needed to make the UN more effective. A number of these recommendations have now been implemented. Selected chapters were also used as reading for the Fellowship Programme.

In 1996, Dr. David Hamburg of the Carnegie Commission on Preventing Deadly Conflict commissioned a book on conflict prevention mechanisms of the United Nations and regional organizations. The book (Peck, C. *Sustainable Peace: The Role of the UN and Regional Organizations in Preventing Conflict*) was published by Rowman and Littlefield with a foreword by Hamburg. This was followed by a major conference co-organized in Ottawa by myself and Ambassador Michael Small, an alumnus of the Fellowship Programme from the Department of Foreign Affairs and International Trade of Canada. The meeting, entitled “Strengthening Cooperative Approaches to Conflict Prevention: The Role of Regional Organizations and the United Nations,” brought together, for the first time, key staff working in conflict prevention from the UN, regional organizations and NGOs for an extensive exchange of ideas and experience.

Also in 1996, the Judges of the International Court of Justice asked me to organize the Court’s 50th anniversary conference, which we entitled, “Increasing the Effectiveness of the International Court of Justice.” It was held at the Peace Palace in The Hague and attended by all of the Judges and a large number of senior international lawyers who had been associated with the Court over the previous 50 years. An edited book of the proceedings was published by Martinus Nijhoff Publishers (Peck, C. and Lee, R., Eds. *Increasing the Effectiveness of the International Court of Justice* with a foreword by Kofi Annan). The book was provided to all permanent missions of Member States to the UN in New York and Geneva, to the relevant UN departments and to all who attended the conference.

The success of the Fellowship Programme also led DPA to request “Senior Seminars” on thematic issues of interest to the department, with particular reference to cases upon which it was working. Two highly successful seminars were organized for the most senior DPA staff. The first examined issues of power sharing and autonomy with leading scholars in the field and considered whether such arrangements might be possible in five cases on which DPA was working. The second dealt with democratic transition in post-conflict situations and how such transitions could be brought about in a manner that would prevent further conflict. Once again, the focus was on five situations on which the department was working.



Peck interviews Special Adviser James LeMoine for the SRSG project

I carried out in-depth interviews with a large number of SRSGs,¹ culminating in two editions of a 600-page briefing book for new SRSGs.² This book, and its accompanying CD, were distributed to all SRSGs and to the substantive staff of DPA and DPKO. As well, video interviews with individual SRSGs were carried out in the UN's television studios and 28 DVDs produced, including one composite DVD entitled, "Lessons in Peacemaking," which is used in all of our relevant UNITAR training programmes. A booklet entitled, *A Manual for UN Mediators: Advice from UN Representatives and Envoys*, was also produced from



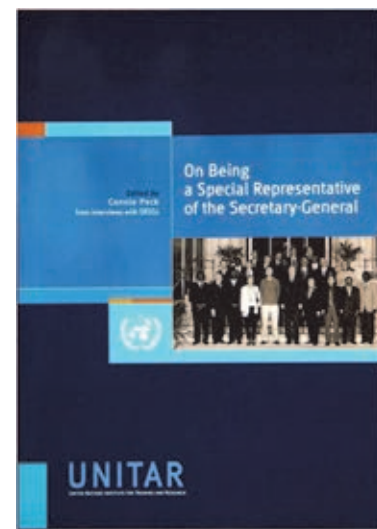
the interviews and co-published by UNITAR

and DPA. It has been widely used by SRSGs and DPA staff, as well as in UNITAR training programmes.

Another important part of this project was the creation of an annual Seminar for Current Special and Personal Representatives and Envoys of the Secretary-

General to provide a forum for SRSGs to share their experience and lessons with one another and the most senior Secretariat and agency staff, and to

This ultimately led to a larger project, the UNITAR Programme for Briefing and Debriefing Special and Personal Representatives of the Secretary-General (for which I sought and received approval from the highest levels within the UN) with the overall objective to ensure that the invaluable knowledge, lessons and experience of Special Representatives were retained in the form of institutional memory and learning to enhance future peace operations. Over a several year period,



¹ Representatives of the Secretary-General have various titles: Special Representative, Personal Representative, Representative, Envoy, Special Adviser, and the like. The terms *Special Representative* and *SRSG* will be used in this book to refer to all of these.

² Peck, C. (2002) *On Being a Special Representative of the Secretary-General*. Geneva: UNITAR and C. Peck (2006) *On Being a Special Representative of the Secretary-General*, Second Edition. Geneva: UNITAR. The book is currently being reprinted.

ensure that the problems that recur across missions are discussed and resolved. To date, ten such seminars have been organized; these represent the highest level meetings of UN staff ever held. Ms. Trisha Riedy, who joined our programme in 2000 and whom I asked to take over as Programme Manager in 2007, continues to organize these, in close cooperation with Ms. Sally Fegan-Wyles, UNITAR's Executive Director.



UNITAR Executive Director, Sally Fegan-Wyles, is thanked by the Secretary-General for the latest SRSG Seminar

Another initiative (requested by staff from the African Union) is the UNITAR Regional Training Programme to Enhance Conflict Prevention and Peacemaking in Africa. It uses the same curriculum/methodology as the Fellowship Programme but focuses



Programme Specialist, Hiroko Nakayama, with a Fellow

specifically on African problems and issues and involves resource persons who are primarily African. To implement this project, I initially employed an African scholar, Dr. Timothy Murithi. For the last many years, Riedy has organized this annually with Ms. Hiroko Nakayama and Professor Hizkias Assefa. To date, 525 African officials from Offices of Presidents and Prime Ministers, Ministries of Foreign Affairs, UN and AU peace missions, the AU and its liaison

offices, Regional Economic Communities and civil society have been trained in conflict analysis, negotiation and mediation. In addition, Murithi and Riedy organized, in association with Assefa, five sub-regional programmes of a similar nature for the SADC region in Zimbabwe and South Africa.

Riedy also initiated the UNITAR Training Programme to Enhance the Conflict Prevention and Peacemaking Capacities of Indigenous Peoples' Representatives. Also modelled on the Fellowship Programme, it aims to help representatives of indigenous groups learn how to negotiate constructively with their governments. To date, she has provided training to 454 participants in nine international and six regional programmes in different parts of the world.



Programme Manager, Trisha Riedy, addresses indigenous peoples' representatives

Effects on Practice of the UNITAR Programme in Peacemaking and Conflict Prevention

Over the 20 years of the Fellowship Programme, a “culture of conflict prevention and resolution” has, indeed, begun to develop within the UN and regional organizations, and the importance of mediation has been much more widely recognized, with support for mediation efforts considerably strengthened. Although not the only influence in bringing about changes in policy and practice, the Fellowship Programme and its related activities have definitely made a significant contribution to this transformation.

DPA has become much more active in the field, with the number of its good offices and field-based special political missions growing from three in 1993 to 26 in 2013 (with 11 good offices missions and 15 field-based special political missions).³ It has also established sub-regional offices (three to date) as part of its field-based special political missions—a proposal made by both myself and Gareth Evans. In 2004, the UN appointed a Special Adviser on the Prevention of Genocide.

An important innovation was the creation (in 2006) of DPA’s Mediation Support Unit which provides assistance in the planning, support and coordination of mediation efforts for the entire UN system, as well as for regional and sub-regional organizations and NGOs. It also carries out strategic assessments and offers policy guidance, in addition to providing advice on mediation best practice. Its Standby Team of Mediation Experts is in considerable demand and was deployed on more than 70 occasions in over 30 countries last year.

In 2009, in an effort to obtain further support for mediation efforts from Member States, DPA asked me to draft the first-ever Report of the Secretary-General to the Security Council on enhancing mediation and its support activities (S/2009/189). Following extensive consultation with staff throughout the UN system (including many former UNITAR Fellows), the report was reviewed over a two-day period by the Security Council, with over 40 Member States taking the floor to make statements in favour of strengthening mediation and mediation training efforts.

The following year, The Group of Friends of Mediation was formed to promote a culture of mediation nationally, regionally and internationally. It currently consists of 38 Member States, the United Nations and seven regional organizations and is co-chaired by Finland and Turkey. It meets annually at the ministerial level, as well as at the level of permanent representatives and experts.

³ United Nations Department of Public Information (2013) *United Nations Political Missions. Report of the Secretary-General to the General Assembly.*

In 2011, the first report of the Secretary-General to the Security Council on Preventive diplomacy: Delivering results (S/2011/552) was drafted by an alumnus of the Fellowship Programme. In 2012, the report of the Secretary-General to the General Assembly on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution (A/66/811) was drafted by DPA's Policy and Mediation Division.

Regional organizations have also made significant changes to their institutional approaches to peacemaking and preventive diplomacy, with several even establishing their own Mediation Support Units, and considerable strides have been made in the cooperation and coordination between the UN and regional organizations during this period.

Even so, *much* remains to be done to further strengthen the practice of preventive diplomacy and peacemaking and to build an effective international architecture for handling conflicts at an early stage. Training programmes, such as those discussed above, will continue to play a crucially important part in persuading the international community that the more we learn and understand about conflict prevention and resolution and the larger the pool of trained and skilful mediators, the more effective we will be at realizing the aims of the UN Charter. It is hoped that this book will help to further that goal.



International Peace Academy President Olara Otunnu (centre left) and Peck with 1994 Fellows Augustine Mahiga (left), who later became Permanent Representative of Tanzania to the UN, where he represented his country in its capacity as a Non-Permanent Member of the Security Council, and was later appointed SRSG for Somalia, and Tayé-Brook Zerihoun (right), later appointed SRSG in Cyprus, Acting SRSG of UNMIS and Chief Mediator for the Darfur Peace Talks and who now serves as Assistant Secretary-General in the UN Department of Political Affairs

Understanding the Sources of Conflict

PETER WALLENSTEEN

Conceptualising conflict and understanding the sources of disputes are crucial starting points for preventive diplomacy and peacemaking efforts. Dispute, debate, and discussion are different words for conflict. They point to disagreements: someone makes a demand that someone else does not accept and there is, at least, verbal action to try to convince the other side. These are legitimate ways in which relationships may eventually develop: campaigns, demonstrations and peaceful mobilization of opinion. All this is a constructive use of disagreement, eventually leading to new decisions and improvement of society. The three constituent elements of conflict, then, are *parties or actors, disagreement and action*.

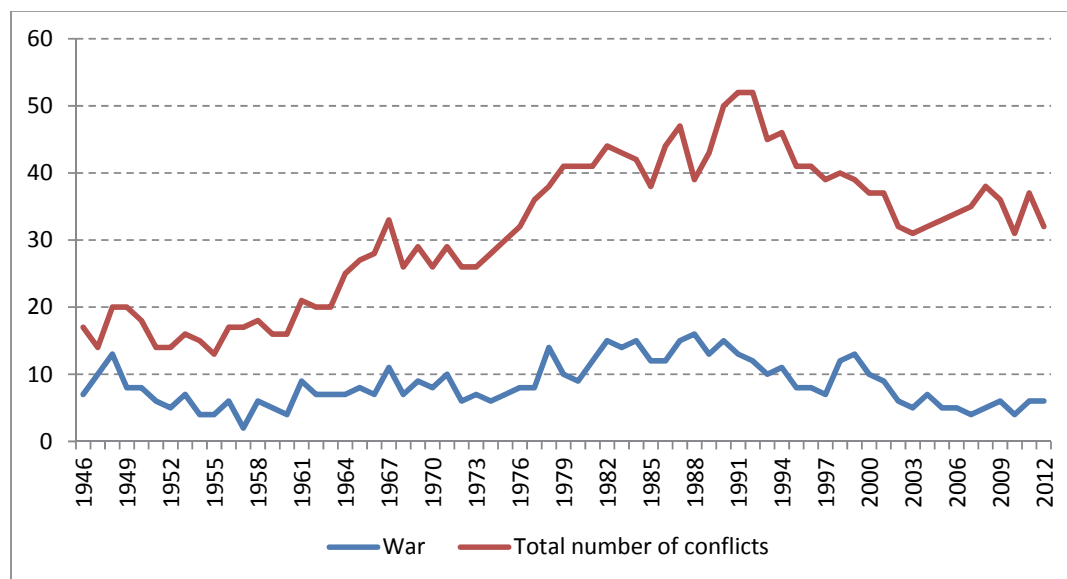


Professor Peter Wallensteen is introduced by Professor Eleanor Wertheim

There are many such disagreements in society and most of them can be dealt with in peaceful ways. There is an important turning point when disagreements take a more sinister turn: the use of violence. This is a moment when a disagreement injects fear. It may lead to parties taking protective action and sometimes leads to counteraction that further increases fear. The next threshold is when someone is killed. This is an irrevocable action. Something has been done that cannot be undone. From then on, new dynamics set in. Security becomes a central issue. In most societies, the state machinery, judiciary and police go into action.

At times this turns into armed conflict and even war. In 2012, the Uppsala Conflict Data Program (UCDP) at the Department of Peace and Conflict Research, Uppsala University in Sweden recorded 32 armed conflicts where more than 25 persons had been killed in battles during the year in political disagreements that had a government as one actor. Six of these conflicts reached the intensity of war; that is, armed conflict with more than 1000 battle-related deaths. Figure 2.1 shows the data on all armed conflicts in the world since 1946, according to UCDP.

Figure 2.1. Armed Conflicts 1946-2012



A most important feature of Figure 2.1 is that the number of armed conflicts varies: there are times when the world witnesses more conflicts, for instance around 1990. There are also periods when the number of conflicts appears to decrease, in an almost steady fashion, notably in the period following this peak. These variations lead us to ask about the causes of conflict, or at least to reflect on possible sources or “correlates” of conflict.

There are many such possibilities and there is research highlighting some of these. An easy way to summarize them is to follow a categorization made in 2000 by I. William Zartman,⁴ a researcher with a distinguished record in the study of conflicts and conflict resolution: *need*, *greed*, and *creed*. To this, however, we need to add that such basic concerns may also require triggers to result in action and eventually armed action. A case in point is the rapidly unfolding beginning of the Arab Spring in 2011, starting

⁴ Zartman, I.W. (2000) Mediating conflicts of need, greed, and creed, *Orbis*, 44 (2), 255-266.

with an isolated event in Tunisia in late December 2010 and within months leading to turmoil in the whole Arab world and a civil war in Syria.

Need

The need that most often is mentioned in connection with war and violence is *poverty*. It is easy to observe that most of the wars that constitute the data in Figure 2.1 have been located in what we today term the Global South, ranging from the Suez Crisis (in the 1950s), Vietnam (until the end of 1976), and the protracted conflicts in Angola (approximately 30 years), El Salvador (20 years) and Afghanistan (more than 30 years). Thus, it could be related to poverty. But at the same time, there were conflicts around less poor countries notably in the Middle East and the Balkans. Also, many of these conflicts did not only involve actors from these countries. In fact, external intervention by more resource-rich countries was part of the picture: *Wallensteen and Fellow discuss the data*



the United States and the Soviet Union also provided troops or heavy economic support for some of these actors. Furthermore, if we take a broader look at the 20th century as a whole, World Wars I and II were fought among the richest countries in the world. Thus, rising wealth is not a guarantee against war. Sometimes it increases the resources that are available for war. Certainly, poor people may have strong reasons for frustration and anger, but they seldom organize for conflict. If we study recruitment into recent internal wars, many soldiers come from poor circumstances. However, that does not make these wars “poor people’s wars.” Joining an army, whether run by rebels or the government, may sometimes be the only source of income and employment available.

This does not mean that poverty alleviation should not be pursued! On the contrary: new job opportunities are important in reducing recruitment. But this is only one element in securing a post-war situation, not the full story.

In a similar way, we can use the data of Figure 2.1 to scrutinize additional plausible causes of serious conflict. More promising are probably other types of needs, notably *safety* for individuals and groups: threat to, say, autonomy arrangements, or minority rights. It suggests that discrimination could be a basis for collective counter reaction, particularly in internal conflicts. There is a logical and empirically observed dynamic between government repression and rebellious reaction.

This brings us to the issue of *human rights violations* as a source of conflict. These can be witnessed in the early history of many conflicts. Many of the human rights are also basic human needs.

Greed

There has been considerable attention to material greed as an explanation of conflicts and particularly internal conflicts. Studies have shown the importance of *lootable goods*, e.g., diamonds and drugs, notably in Africa. Also matters of *mineral wealth* and *oil* become interesting in this regard, although their exploitation requires more elaborate systems of labour, transportation and processing in order to generate big incomes. There is a noteworthy correlation between authoritarian regimes and dependence on petroleum exports, for instance.

This leads us to consider *corruption*, which is more difficult to research but definitely should be on the political as well as scholarly agenda. In many rebellions, this is an issue explicitly mentioned as justification for action. The lack of data may hamper the analysis, but even on this score there is progress. Innovations in measurement will help us to understand this more clearly in the future.

Creed

The notion of creed points to the significance of *faith-based* violence and conflict. There is an emphasis on this in recent scholarship and in the media. Few issues have gained more attention. However, the data demonstrate a complicated picture. For instance, it has repeatedly been shown that there is more violence *within* thought systems than *between* them: Northern Ireland is a case of Christian vs. Christian violence, although two different variants. Iraq today sees a lot of violence between adherents to Islam. Perpetrators, victims and bystanders to the genocide in Rwanda in 1994 were Catholics. This does not negate that there is also violence between faith-based groups. Even so, we have to observe that atrocities are often and repeatedly condemned by religious leaders, who even may lead peace initiatives across divides.

Some of these examples suggest that the concern, if at all faith-based, has to do with a clash between the *original*, established interpretation of a particular faith clashing with *new understandings*. Catholicism met a set of such challenges in the 15th and 16th century, and the religious arguments were used to pursue wars. Similarly, Shiite Muslim populations believe that they were betrayed in the succession conflicts in Islam during the 7th century and thus find themselves in confrontation with the larger group, Sunnis. Also, we can note that there is often a variation over time between more open, *softer* interpretations and those that pursue a *harder*, more orthodox understanding of a

particular thought system. This, in fact, seems to be a general experience in most ideological systems, whether religious, philosophical or political.

Triggers

The preceding discussion suggests that many factors are relevant, but under different conditions and perhaps in different combinations. However, for a conflict to go from such factors to actual warfare is a long road. It requires the formation of parties that can fight wars. The government has an advantage in any internal confrontation, as it has machinery ready for upholding the status quo. Challengers face other requirements. Thus, the chain of triggering factors can be a long one, perhaps starting with price changes, repressive action that sparks resistance, demonstrations, riots and, when repression is strong, the formation of rebel movements in distant areas where military bases can be built, a supply of arms secured and cross-border traffic used.

These examples point to the complexity of conflict dynamics. An armed conflict does not appear without a previous history, and that history points to a chain of events and conditions that result in armed action. It also means that armed conflict is



Wallensteen listens to Fellows' views

comparatively rare if we think about all the needs that are unmet, all the greed there is in the world and all the ideological clashes that there are. This could be a source of hope: there is a lot to happen before a conflict really becomes entrenched and institutionalized. However, it also says that once an armed conflict is sustained, it is also more difficult to end and turn conflict energy into peacebuilding efforts. Early and preventive action, in other words, is normally a good investment.

Addendum to Chapter 2: Factors that Cause or Exacerbate Conflict: List Generated by Participants of the Fellowship Programme

Every year at the beginning of the programme, Fellows are asked to brainstorm answers to the following questions: “*What are the sources/causes of conflict?*” “*What types of grievances/aspirations are being expressed today that cause conflict?*” “*What are the macro-level factors affecting today’s conflicts?*” The following answers demonstrate the complexity of the concept and represent both structural and proximal causes, as well as conflict triggers.

HISTORICAL FACTORS

- History of prior conflict
- Conflicting historical narratives (different views of the past)
- Unresolved historical grievances/Unresolved legacy of past abuses
- Unresolved minority conflicts
- Unresolved succession issues
- Historical legacy of colonialism
- Artificially created borders (where ethnic groups are divided or illogically united)
- Disputed frontiers
- Unfinished demarcation of borders
- Long-standing demands for autonomy
- Non-implementation of past commitments

GOVERNANCE/POLITICAL PARTICIPATION FACTORS

- Poor governance/Lack of good governance
- Weak state/Weak political institutions
- Lack of effective democratic mechanisms
- Denial of political rights/Lack of access to political institutions
- Lack of or insufficient political representation (at the local and/or national levels)
- Lack of participatory “voice”/No access to decision-making
- Political exclusion/Marginalization
- Exclusion of women from decision-making
- Conditions that allow concentration of power ethnically
- Politicization of ethnicity
- Nationalism and scapegoating of certain groups to gain power
- Political parties that divide along ethnic lines
- Disconnect between rulers and ruled
- Desire for independence/self-determination
- Outdated constitutional/legal frameworks
- Tampering with the constitution

- Inappropriate models of democracy for specific contexts
- Unfair, badly managed or questionable elections and election results
- Lack of accountability or transparency
- Power struggles among political elites/Political rivalry
- Military interference in politics/Illegal or unconstitutional change of leadership
- Dissolution of the state
- Leadership/power vacuum
- Weak civil society
- Inadequate education of the populace
- Poor implementation of peace agreements (e.g., poor DDR)
- Poor management of political transitions—going from old to new mechanisms
- Lack of conflict-handling mechanisms or constructive ways to channel grievances

LEADERSHIP FACTORS

- Poor leadership
- Monopolization/Concentration of power
- Greed of leadership/Use of the state for personal gain
- Corruption/Cronyism/Nepotism
- Leaders who try to unite people by playing the nationalism card/Charismatic leaders with a nationalist agenda

JUSTICE FACTORS

- Lack of justice
- Weak judicial systems
- Absence of rule of law
- Lack of respect for human rights
- Human rights violations
- High levels of impunity

ECONOMIC/RESOURCE FACTORS

- Gross inequality of wealth distribution
- Poverty/Lack of economic or employment opportunity
- Food insecurity/High food prices
- High energy prices and shortages
- Rapid increases in prices

- Disputes over resources, especially under conditions of resource scarcity (e.g., land, grazing rights, cattle, oil, gold, diamonds, minerals, forests, water, fish)
- Lack of control over natural resources where communities do not receive a fair share
- Large numbers of unemployed youth
- Lack of infrastructure or access to essential social services (e.g., transport, sanitation)
- Massive influx of resources (e.g., aid) which distorts a local economy
- Creation of war economies that are self-sustaining (e.g., through criminal activities)
- Poor management of economic transitions
- Financial mismanagement

CULTURAL, LANGUAGE AND RELIGIOUS FACTORS

- Lack of respect for cultural diversity
- Cultural marginalization or exclusion (e.g., based on ethnic group, language, religion, gender)/Minority issues that are not addressed
- Attempts to force linguistic and cultural assimilation
- Denial of minority rights/ethnic identity
- Discrimination based on religion/Religious intolerance
- Politically-motivated incitement based on ethnicity or religion
- Unsuccessful efforts to address marginalization

SECURITY FACTORS

- Physical insecurity/Safety fears
- Food insecurity
- Open borders that allow an unrestrained flow of weapons
- Proliferation of arms, including small arms
- Paramilitary or non-state armed groups that are not fully demobilized
- Police brutality
- Lack of security when the state fails to take responsibility for the safety of its citizens
- Refugee flows/Forced displacement
- Drug and human trafficking/Organized crime

PROCESS FACTORS ARISING FROM THE CONFLICT ITSELF

- Lack of trust
- Creation of myths, belief systems

- Different interests/Competing priorities
- Lack of communication
- Misunderstanding of others' objectives
- Perception of different ethnicities as unequal
- Xenophobia/Fear of the unknown other
- Stereotyping through the educational system
- Intolerance/Racism/Demonization
- Perceived injustice
- Repression of peaceful protests
- Belief that one has nothing to lose by violence
- Violence promotes more violence/Use of force leads to increases in the conflict
- Escalatory cycles promote conflict
- Revenge

EXTERNAL FACTORS

- Foreign occupation
- Inappropriate intervention in nation building
- Big power proxy wars
- Outside interference from neighbouring states
- Neighbouring countries attempt to protect their ethnic kin
- Arming of rebel groups
- International support for one party
- Undermining of local leaders or civil society
- Funding support for one side from its diaspora

INSTITUTIONAL FACTORS – NATIONAL, REGIONAL AND INTERNATIONAL

- Weak states and institutions
- Lack of mechanisms to resolve conflict
- Lack of a culture of conflict resolution
- Lack of regional conflict management systems
- Lack of regional ownership of problems
- Double-standards in the international system
- Conflict between international and regional organizations
- Breakdown of peace agreements
- Poor implementation of peace agreements
- Ignorance and inappropriate priorities in providing aid and assistance
- Double-standards in the International Monetary Fund and World Bank

MACRO-LEVEL FACTORS

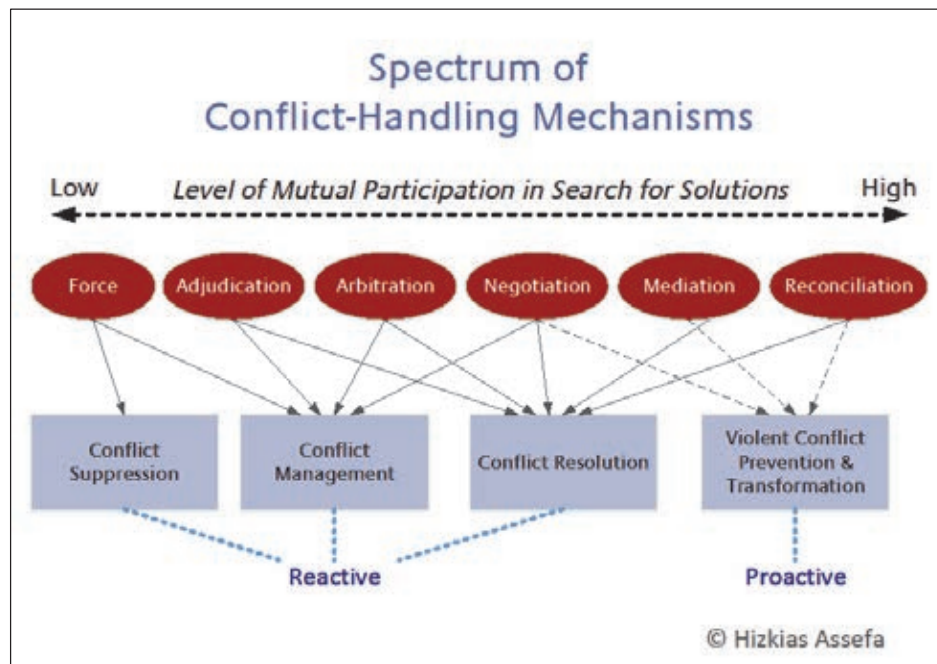
- Shifting power in the international system/Changes in the multilateral world order
- Geopolitical rivalries
- Global arms proliferation, including nuclear proliferation
- Autocratic regimes and dictatorships
- Pressure to democratize and hold elections when there is no culture of democracy
- Globalization vs. local norms/Modernization imposed on traditional societies
- Increased nationalism as a reaction to globalization
- Conflict between civilizations
- Radicalism/International terrorism
- Climate change/Environmental degradation (e.g., drought, desertification)
- Resource scarcity (e.g., water, raw materials)
- Population growth/Over-population/Demographic pressure/Rapid demographic change
- The impact of World Bank and International Monetary Fund policies on national economies
- Rapid economic or political change (e.g., rapid liberalization of markets, increasing food and fuel prices or removal of subsidies)
- Poor management of change
- The global financial crisis/Depressed world economy
- The youth bulge and youth unemployment
- Asymmetric distribution of wealth/North-South imbalances
- Global trade restrictions/Inequitable trade
- Unfair treatment by multinational companies
- Urbanization
- Increased mobility/Migration/Immigration
- Human and drug trafficking/Organized crime/Money laundering/Piracy
- Global dominance of the media by fewer and fewer corporations
- New techniques for mobilization (e.g., the internet, social media, blogs)
- Lack of international mechanisms to prevent conflict /Lack of action by the UN
- Double standards in international affairs

The Spectrum of Conflict-handling Mechanisms

HIZKIAS ASSEFA

In peacemaking and peacebuilding practice, many key terms and concepts with different meanings and implications have been used interchangeably, creating confusion among practitioners and conflict parties. People who ostensibly share the objective of working for peace may at times find themselves working at cross-purposes because they have not fully examined the implications of the specific process they are using or understood which processes are compatible and which undermine each other. In this chapter, we will use a framework we call *The Spectrum of Conflict-Handling Mechanisms* to help distinguish between various approaches commonly used in peacemaking and peacebuilding and to examine what they entail, as well as to explore their implications for durable peace. If we compare the *degree of mutual participation by conflict parties in the search for solutions to the problems underlying their conflict*, we could place these commonly-used approaches along a spectrum as follows (see Figure 3.1).

Figure 3.1. Spectrum of Conflict-Handling Mechanisms



At the left of the spectrum, we find approaches where mutual participation is minimal. The *use of force by one party* to impose a solution on the other is an example. This could range from the use of military means to deal with differences in international relations to the use of coercion in intrastate conflict by a government or a guerrilla group.

Moving to the right on the spectrum, we find *adjudication*, where a third party, instead of an adversary, imposes a solution to the conflict. However, the mutual participation of the parties in the choice of the solution is comparatively higher here than in the use of force. In adjudication, the parties at least have an opportunity to present their cases, to be heard, and to submit their arguments for why their preferred solution should be the basis upon which the third party's decision is made. But the parties have no choice over who the decision maker(s) will be, as this is decided by the state or the international community. Moreover, the solution is not made by the parties and in some situations the decision is backed by force (i.e., enforced) to ensure that the losing party complies.

Arbitration is placed further to the right of adjudication. Here, the parties' participation is greater since the adversaries have an opportunity to choose who is going to decide the issues under dispute. The parties in conflict can also sometimes identify the basis upon which their case will be heard and decide whether or not the outcome will be binding. Although the parties' mutual involvement in the decision-making process is higher than in adjudication, the solution is still decided by an outsider or a group of outsiders (as with an arbitration panel) and, depending on whether the arbitration is binding, the outcome could be imposed by the power of the law.



Professor Hizkias Assefa presents his spectrum of conflict-handling mechanisms

Even further to the right on the spectrum we find *negotiation*. Here the parties' participation in the search for a solution is very high. The parties themselves have to formulate the issues, find a solution satisfactory for all, and enforce the agreements. In this situation, however, particularly in a bargaining as opposed to a problem-solving type

of negotiation,⁵ the final choice of a solution might depend on the relative power of the adversaries rather than on what might be the most satisfactory solution for everyone involved. The party with the greater leverage might end up getting the most from the negotiations.

Mediation is a special type of negotiation where a third party assists the parties in their search for mutually satisfactory solutions. The third party's role is to minimize obstacles to the negotiation including those that emanate from a power imbalance. Unlike adjudication, however, in the final analysis, it is the decision and agreement of the conflict



parties that determines how the conflict will be resolved.

Towards the far right of the spectrum we find *reconciliation*. This approach not only tries to find durable solutions to the issues underlying the conflict but also works to transform the adversaries' relationships so that resentment and hostility can be turned towards a more positive relationship and greater harmony. Of course, for this to happen, both parties must be equally invested and participate intensively in the resolution process.⁶

Before we examine the insights that emerge from this spectrum, it might be useful to quickly glance at one more set of distinctions. The conflict-handling mechanisms illustrated in the spectrum can also be categorized into three approaches called *conflict management*, *conflict resolution*, and *conflict prevention*. Conflict management approaches generally focus on mitigating or controlling the destructive consequences of the given conflict rather than on finding solutions to the underlying causal issues. Conflict resolution

⁵ See Fisher, R. and Ury, W. (1981) *Getting to Yes: Negotiating Agreements Without Giving In*. London: Hutchinson, for the distinction between the bargaining type (distributive) and problem-solving type (integrative) of negotiation approaches. See also Chapters 4 and 7 for further discussion of these concepts.

⁶ These categories are neither exhaustive nor water-tight. There are many other mechanisms that mix the various types and fall somewhere in between. One example is a mechanism called *med/arb*, where the process starts as mediation with the voluntary and full participation of the parties, but if that process fails, the mediator takes on the role of arbitrator and renders a decision. There are also other non-formal processes, such as *advocacy* by interest groups in order to put pressure on leaders that can be placed somewhere between the use of force and formal adjudication. In advocacy, the body to whom the appeal is made might be the courts of national or international public opinion instead of the regular courts of law. What people call *good offices* and *conciliation* can be placed on the spectrum between negotiation and formal mediation, etc.

approaches aim to go beyond mitigating consequences and attempt to address root causes so that the conflict can actually come to an end. Conflict prevention tries to anticipate the destructive aspects of the conflict before they arise and attempts to take positive measures to prevent them from occurring. Conflict management and resolution approaches are, however, reactive because they are initiated only once conflict has surfaced.

Most of the mechanisms on the left side of the spectrum are conflict management approaches. The use of military force or the type of peacekeeping that separates the conflict parties from each other so that they do not keep inflicting harm on one another, are typical conflict management strategies. To the extent that adjudication, arbitration, and the more traditional type of bargaining negotiation do not become avenues to solve the underlying issues of the conflict (and mostly they don't), they become mere stop-gap conflict management measures. However, if they provide a pathway to work out differences on substantive issues or to reduce negative relationships, they can become conflict resolution mechanisms.

As we move from the left to the right on the spectrum, i.e., as the participation of all of the parties in the search for a solution increases, the likelihood of achieving a mutually



Assefa in discussion with a Fellow

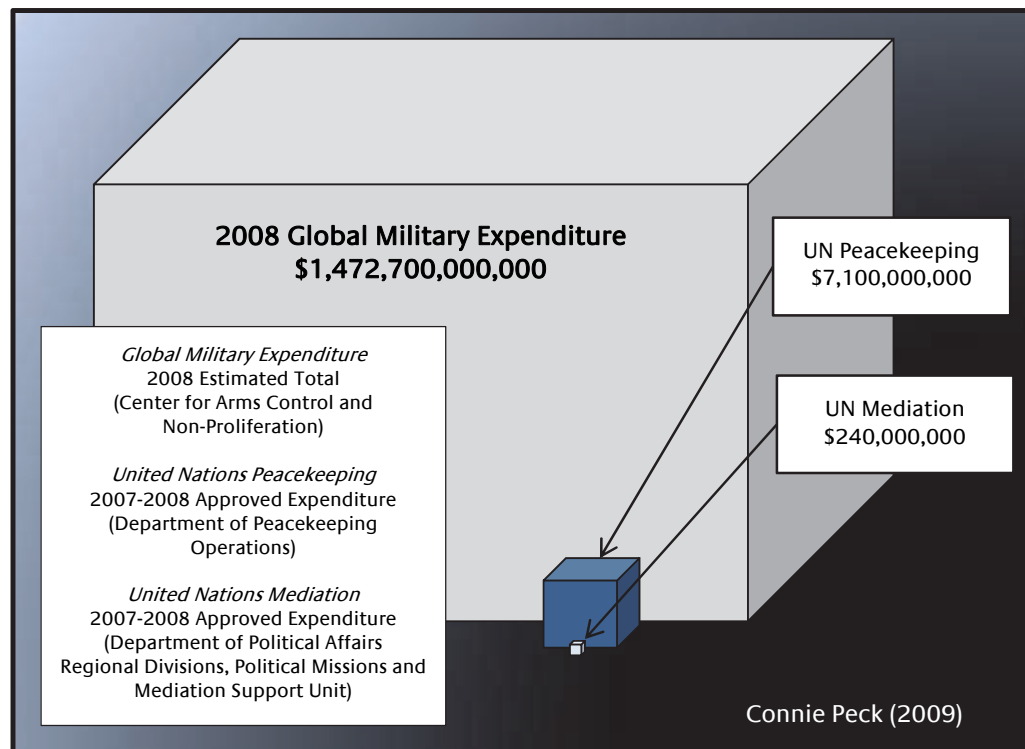
satisfactory and durable solution also increases. Solutions imposed by force will likely only last until the vanquished are able to muster sufficient force to reverse the situation. Solutions imposed by adjudication and arbitration, unless the loser gives up, can always be frustrated by the latter's endless appeals or lack of cooperation in the implementation process. If, however, the parties engage earnestly in the

search for solutions and actually find resolutions that satisfy the needs and interests of all involved, there is no better guarantee of the durability of the settlement, since it would be in everyone's interest to ensure that the agreement is fully implemented. This is what problem-solving negotiation, mediation, and reconciliation can do.

What is noteworthy, however, is that as we move from left to right on the spectrum, our knowledge and understanding of these approaches become more sketchy and less developed, despite the greater likelihood of their producing more effective, long-lasting solutions. Moreover, our comparative commitment of resources for the study and

operationalization of these processes is also much less. In contrast, our knowledge and methodology of the conflict management approaches on the left side of the spectrum, such as the use of force, adjudication, or arbitration, are quite advanced. These disciplines (such as military and police science, jurisprudence and legal studies) are highly developed, and associated with respected institutions that command considerable resources devoted to training and implementation, such as military and police academies, law schools, ministries of justice and defence, police departments, courts, and prison systems. In contrast, conflict resolution approaches, such as problem-solving negotiation and mediation, are much less developed and the institutions and resources devoted to their training, advancement and practice are meagre. Most of what exists is voluntary and ad-hoc. When it comes to reconciliation, let alone institutions for its operationalization, there is not even much study and understanding of what the concept means, especially among social scientists. Even though some disciplines (such as psychology and theology) might have more to say about this, they suffer from gaps in operationalizing their ideas into actual and workable processes. Figure 3.2 illustrates this lop-sided commitment of resources.

Figure 3.2. Comparative Costs of Different Approaches to Conflict



Our training at UNITAR tries to fill this gap in peacemaking and peacebuilding by focusing on the mechanisms on the right end of the spectrum.



Assefa (centre) presides over the signing ceremony for the peace accord that he mediated between the Government of South Sudan and the South Sudan Democratic Movement

The Interest-based, Problem-solving Approach to Negotiation

DIANA CHIGAS AND ELEANOR WERTHEIM

A core aim of the Fellowship Programme is to raise awareness of and develop skills in interest-based, problem-solving approaches to resolving conflict. Negotiations typically involve a competitive process between parties, in which each party takes a position and, in a series of arguments, threats, offers and counter-offers, moves towards a compromise solution. Numerous practitioners and researchers argue that this approach is suboptimal because the outcomes often do not address the parties' grievances and underlying concerns that fuel violent conflict; furthermore, the process risks escalating, rather than mitigating, conflict. Even when compromise solutions result from this type of negotiation, re-emergence of conflict is likely.



Professor Diana Chigas presents interest-based, problem-solving negotiation theory

In contrast, interest-based, problem-solving approaches to negotiation are viewed as having greater potential to address the root causes, because the important, deeper interests and needs of each party are explicitly examined and addressed. Furthermore, the cooperative nature of the process fosters more positive relationships between the parties, laying the foundation for successfully addressing future issues that arise. For these reasons, the Fellowship Programme focuses on developing conceptual distinctions, awareness and skills in an interest-based approach to negotiation, and applies the concepts and skills to other processes such as mediation and conflict

prevention. The Fellowship Programme does not promote one single “right way” to negotiate, but encourages informed, strategic decisions about the most appropriate and effective approaches in a given situation.

Competitive Versus Cooperative Dynamics

Developing an interest-based, problem-solving approach initially involves raising awareness of typical negotiation dynamics. Conflict by definition involves one of *interdependence* of goals, in which outcomes for one party affect outcomes for the other. However interdependence can either be negative (the more one party gains, the more the other loses, referred to as having a *zero-sum outcome*) or positive (one party’s gains are paralleled by gains for the other, referred to as a *positive-sum outcome*). When parties conceptualize a dispute in terms of negative interdependence, a competitive dynamic arises; parties assume outcomes will be win-lose, and each side attempts to gain more, or at least lose less, than the other. When positive interdependence is considered possible, the parties seek to meet each side’s needs and create *joint gains*. For example, in the context of two states in dispute over limited water resources, the two sides can compete over the limited resource, assuming one party’s gain is the other party’s loss. Alternatively, a joint water management scheme could be initiated to ensure water supplies are managed well and both parties have sufficient supplies.



Fellows negotiate within their team during the first negotiation exercise



Representatives of each negotiation team negotiate with the other team

To experience this process directly, Fellowship Programme participants engage in an exercise in which two teams interact, and each can choose to compete or cooperate; engage in agreements; or potentially defect from agreements.⁷ The exercise, which is designed so that temptations to compete and defect are high, enables participants to reflect on negotiation dynamics within and between teams (and the relation between the two processes), and



Sometimes agreement is reached

⁷ This activity is based on what is known in social psychology research as a Prisoner’s Dilemma paradigm.

the consequences of adopting competitive versus cooperative strategies over time. Table 4.1 at the end of this chapter demonstrates lessons relevant to dispute resolution processes that participants have drawn from this activity.

Distributive Bargaining Versus Interest-based Problem Solving

Two negotiation styles are often contrasted: *distributive bargaining* and *interest-based problem solving*. In distributive bargaining each party begins with a *position*, which is an advocated solution to the problem, making—often quite extreme—initial proposals. In this competitive form of negotiation, each party tries to convince the other, through arguments supporting the rightness of its position or the use of power, to concede. Through offers and counter-offers, parties attempt to reach a compromise solution. However, often one party prevails, stalemate results, or parties are dissatisfied with the results, thus reducing the likely sustainability of the agreement.

In contrast, an interest-based approach promotes negotiations in which parties' positions are explored to uncover the interests behind their respective positions. Parties aim to understand their own and the other's aspirations, needs, fears and concerns and



Chigas and Fellows discuss negotiation theory

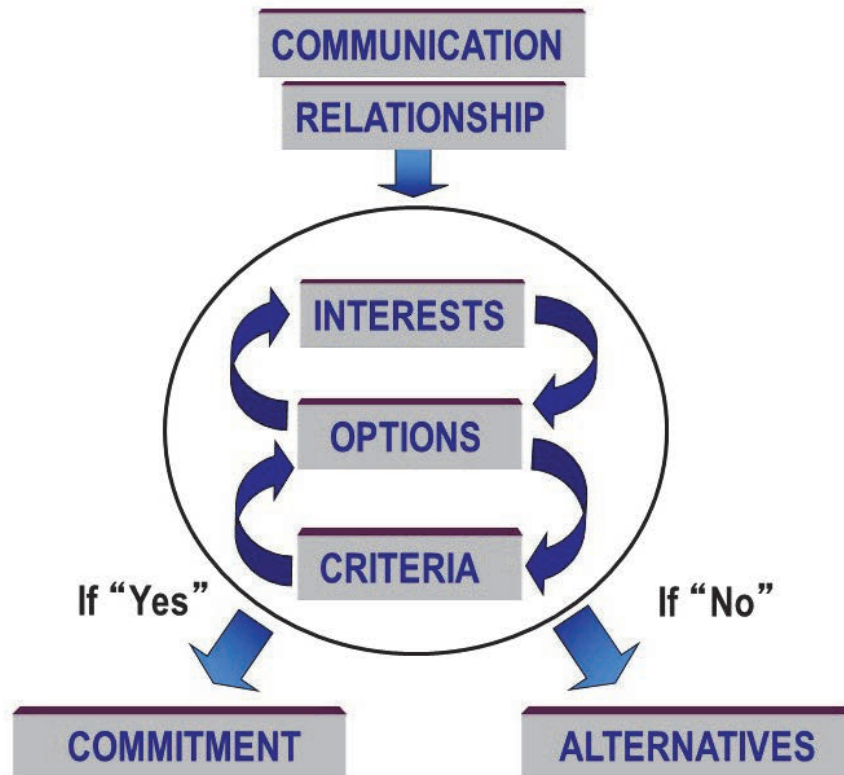
then develop creative options for an integrative solution which addresses each party's important needs. The premise is that while positions may appear to be opposed, the underlying interests and preferences may be more compatible, so focusing on interests allows mutually acceptable options to emerge.

As an example, in the 1995 negotiations between Ecuador and Peru to end the war over the delimitation of their mutual boundary, the process became stuck over the village of Tiwintza, located in the disputed boundary area where there had been significant fighting. Peru claimed that the 1942 Rio Protocol had placed the area under Peruvian sovereignty; Ecuador disagreed. The impasse was addressed by shifting the focus of negotiations from these positions to underlying interests of *access to resources* in the area and *identity needs*, with the 1998 peace accords distinguishing *sovereignty* from *property* rights. In the resulting mutually-satisfactory agreement, Peru, supported by the guarantors of the Rio Protocol and the opinion of a Special Commission, retained *sovereignty* over Tiwintza, thereby upholding the 1942 Rio Protocol, while Ecuador acquired property rights to the area, enabling them broad *commercial access to the Amazon River* and an ability to *retain their identity as an Amazonian nation*.

Seven Elements of an Interest-based, Problem-solving Approach

To provide conceptual understanding and guide practice, the Fellowship Programme includes a mapping of seven key elements of an interest-based approach.⁸ Figure 4.1 shows the model's elements.

Figure 4.1. The Seven Elements of the Interest-based, Problem-solving Negotiation



These seven elements do not map the full context of a conflict situation; this requires further analysis of the historical, cultural, economic and political contexts and causes of the conflict. However, they provide a framework of essential *process* components for identifying potential opportunities, obstacles and effective strategies to consider when resolving disputes.

Two elements, *relationship* and *communication*, focus on the quality of parties' interactions, their perceptions of each other, and their history. Regarding *relationships*, a history of enmity and distrust interferes with negotiation efforts. Measures for building trust and a good working relationship between parties are usually needed

⁸ This mapping is described by the Harvard [University] Negotiation Project.

before and during negotiations. At a political level, confidence-building measures are typically pursued. Furthermore, the current and desired levels and conduits for *communication* require consideration, including which negotiators to select, how to frame messages, and what communication processes and contexts will foster the most cooperation. High-quality communication channels and processes and skills for understanding other parties' points of view are critical to implementing an interest-based approach.

Three further elements shape solutions to conflict: *interests*, *options* and *criteria*. Identifying and unpacking *interests* are central to the model. Interests are distinguished from *positions*; while positions are parties' advocated solutions to a dispute, interests are the aspirations, needs, concerns and fears that would be addressed by those solutions. Interests are layered, with some layers being more superficial and some being deeper. Examples of deeper interests include needs for security, safety, esteem, identity, and a sense of autonomy, while superficial interests typically involve ways to achieve those needs. Table 4.2 provides examples of questions that elicit interests.

Table 4.2. Illustrative Questions to Uncover Interests

- *What are the key things you need from an agreement?*
- *What makes that important to you?*
- *What else is important to you?*
- *Would you prefer [X] or [Y]? Why?*
- *What do you like about this option? What do you not like?*
- *You have mentioned that [X] and [Y] matter to you. Among these, which is most important?*
- *What concerns do you have about this proposal?*

Options are developed to satisfy all parties' most important interests. Instead of an offer/counter-offer process, this part of interest-based negotiating typically consists of three phases, which are useful to separate: 1) generating options (finding creative ways to meet interests); 2) evaluating options (assessing feasibility, acceptability and effectiveness of each option for addressing interests); and finally 3) selecting options and packaging them into proposals for solutions. By separating these phases, options for addressing all parties' most important needs can be developed without parties feeling prematurely pressured to commit. The more options generated, the more likely that some options will satisfy all parties or can be further developed and combined with other options to become acceptable as a package.

For a resolution to be effective and endure, options need to successfully address the underlying or deeper interests or needs of parties (reflecting the root causes of the conflict). However, parties still may face hard choices when choosing among identified options and seeking to finalize an agreement. The danger is that each party will still attempt to maximize its own gains at the expense of the other side. In this context, further reference to objective *criteria* or standards of fairness can assist parties, and their constituencies, to select solutions in a way that is considered acceptable and fair by all. Objective standards can include international or national law, international conventions, precedents, and principles, such as equality, equity, or cost.



Chigas debriefs the negotiation exercise

During negotiations, parties consider whether proposed options are preferable to reaching no agreement. *Alternatives* to a negotiated agreement refer to steps each side could take to address its perceived interests, should either side terminate negotiations. Negotiators are encouraged to consider possible alternatives should either side opt out of the negotiation process (e.g., finding unilateral means for meeting interests, seeking support from others who can assist in addressing important interests or influencing the other side to return to negotiations) and to develop the best method for meeting their own interests without cooperation of the other party into a *BATNA (Best Alternative To a Negotiated Agreement)*. This well-developed BATNA is compared to the proposed agreement; if a party's BATNA is better than the best solution that can be negotiated, it can be in the party's interest to walk away. Similarly, if a party improves its BATNA, it can gain more influence at the negotiating table. Attention is paid to what the other party is likely to perceive as its alternatives (e.g., use of force, pursuing legal options) and ways to influence its BATNA, for example, through pointing out limitations in how its interests will be met.

The final element involves *commitment*. Once options have been developed and evaluated, proposals for resolving the dispute, or aspects of it, are made. An important consideration is timing of commitments and the nature of commitments sought at each negotiation stage. While postponing commitments (offers, counter-offers, rejection or acceptance of proposals, etc.) until *after* options are explored is generally recommended, some types of early commitments can build momentum. Illustrative approaches to commitment include seeking commitments related to the negotiation process itself or the relationship (e.g., initial confidence-building measures) early on, while deferring commitments on substantive issues until later; mutually deciding that nothing is committed until everything has been agreed; or seeking a framework agreement on procedural issues followed by negotiations over substantive details.

During the Fellowship Programme, the foundations of an interest-based approach are initially laid in the context of two-party negotiation processes. Following a negotiation exercise involving two parties, the concepts and skills are then expanded to managing multi-party disputes, responding to difficult negotiator behaviours (see Chapter 6), managing mediation (Chapters 7-11) and other third party processes (Chapters 3 and 15), as well as conflict prevention (Chapter 16).



Wertheim (centre) observes Fellows engaged in negotiation

TABLE 4.1. Lessons from Negotiation Exercises Reported by Fellows

Towards the beginning of the programme, participants engage (in small groups) in a negotiation exercise which provides opportunities for experiential learning. The exercise is followed by a group debriefing session where the different outcomes obtained by the groups are explored in the context of the different processes used by each group. Following the group debriefing, participants write down the lessons they learned from the experience. Below is a sample of lessons that Fellows have drawn from this exercise.

STRATEGY CONSIDERATIONS

- Identify a strategy that will achieve your objective; tailor it to the time available
- Be consistent with the strategy
- The first moves in a negotiation set the tone of the whole negotiation
- Continually analyse the other party's strategy
- Create a strategy that allows your team to be flexible and adjust to new situations
- A hard-line approach may work in the short term but it is not sustainable
- Positive unilateral moves, if they are clear, may be effective in changing the dynamics of the negotiation
- Think "outside the box" to develop creative possibilities
- Taking a risk can show good faith and break deadlocks

TRUST AND CONFIDENCE BUILDING

- The biggest capital is trust
- Early confidence building and the establishment of trust is important for optimal outcomes
- Dialogue and communication are crucial for trust building
- Trust takes time to build
- Trust, once destroyed, is very difficult to repair
- Credibility is dependent on being reliable
- Maintain predictability, consistency and openness
- In the absence of trust, create incentives to minimize defaulting on agreements

DIRECT AND OPEN COMMUNICATIONS

- Clear and effective communication is essential for productive outcomes
- It is extremely important to have contact, preferably directly, with the parties concerned
- Face-to-face negotiations are important for building good faith and trust
- The first negotiations are key in setting the tone for subsequent interactions

- Send a clear message that the aim is for a win-win scenario
- Even if your signal of good faith is misunderstood, keep sending signals showing you are seeking mutual benefits
- Be very clear during the negotiation; don't leave anything to imagination
- Be transparent (open, honest and clear) in the messages exchanged
- Have an open approach—listen carefully first and be flexible in offering options
- Never give up dialoguing; don't cut contact even when trust has been breached
- Continuing communication helps you adjust to changing conditions

ASSUMPTIONS AND INTERPRETING BEHAVIOUR

- Be aware that your own starting assumptions (e.g., aiming for long-term trust) may not be the same as the other side
- Clarify early on each side's assumptions about the relationship between the parties
- Analyse your counterpart's behaviour carefully to try to understand what their signals mean
- It is very easy to misunderstand the motives and behaviour of the opposite side
- Don't assume the other party will correctly interpret your intentions
- Lack of communication leads to incorrect expectations about what the other side will do
- Decisions which appear to be illogical to the other side may be misconstrued as dishonesty or deliberate betrayal
- When you face unexpected behaviour by others, don't automatically attribute bad motives
- The intentions of parties can be very different from what they appear

EMOTIONS

- Emotions can lead to irrational decisions, so do not let emotions override rational thinking
- Remain detached and rational in order to effectively pursue your goals based on your principles
- Failed negotiations can create animosity

IN-TEAM COMMUNICATION

- In-team negotiations are as important as negotiations with external actors
- Find ways to promote internal group cohesion and trust

- Establish a common objective in the group
- Ensure that decision making within your team is inclusive, efficient, and participatory
- Make sure to clarify negotiators' instructions together with the team

NEGOTIATORS

- The choice of negotiator is crucial in the success of any negotiation
- Individual personalities, past experiences, and backgrounds of negotiators influence negotiations
- A negotiator representing a constituency should be someone who is skilful, respected and trustworthy, who can work with all parties as fairly as possible
- The relationship between negotiators is crucial to positive outcomes
- The negotiator helps build trust on a personal basis
- Knowledge about who is representing the other side is fundamental
- A negotiator must be able to lead his/her side in honouring an agreement

MANDATES

- The negotiator needs a clear mandate with some room for discussion and flexibility
- Negotiators need to have authority and be empowered to make decisions
- Be clear how much decision-making authority the other negotiator has

AGREEMENTS

- Develop clearly set out, written agreements that are endorsed by both parties
- Include guarantees and dispute resolution mechanisms in agreements
- Ensure that the other side perceives the benefits of its commitments or agreements
- Ensure both parties have the same understanding of the agreement before parting
- A third party can assist, for example, by articulating what has been agreed
- Find ways to reduce risks for both parties in order to make it easier for them to follow through on agreements
- Without good faith and political will, negotiated outcomes won't be successfully implemented
- Even agreements made in good faith may not be honoured due to lack of trust or a short-term mentality
- Tremendous damage is triggered by one side not fulfilling its part of an agreement
- Respecting commitments helps guarantee a long-lasting relationship

Preparing for Negotiation and Mediation: Using Conflict Analysis

ELEANOR WERTHEIM AND CONNIE PECK

Since careful, in-depth preparation is fundamental to any effective negotiation or mediation process, one of the key aims of the Fellowship Programme is to offer participants an approach to analyzing conflict that they can use to assess disputes, formulate advice, and prepare for negotiation, facilitation, and mediation. Providing a process for systematically thinking through and mapping core elements of a conflict situation can help to identify the range of actors involved, the key issues in dispute, the major interests of each actor, various factors that might facilitate or constrain progress and innovative options for addressing the conflict which might be combined to develop solutions.

With these aims in mind, we have developed a *Conflict Analysis Worksheet* (see Table 5.1 at the end of this chapter), which is based on the seven elements of the negotiation



Wertheim, Peck and Chigas (left to right) prepare for the conflict analysis exercise

model described previously in Chapter 4. Using a worksheet has the advantage of providing a structured framework for analysis which can ensure that key elements are carefully considered in a systematic, semi-sequential manner.

It is important to note that the worksheet is not designed to be completely comprehensive in scope. A proper analysis requires in-depth knowledge of the conflict in its historical and contemporary context, as well as knowledge of the communities and leaders involved, including their cultural, political and economic environment. What the worksheet does provide is a tool to focus on basic elements to consider for dispute settlement.

Components of the Conflict Analysis

A first aspect of the analysis includes identifying the *primary parties* (those who would, for example, sign the peace agreement) as well as factions within them. These primary parties are distinguished from *secondary actors*, who are also identified. Secondary actors include groups that may be influential in the process, such as neighbouring countries, regional or global powers, or multilateral organizations. Consideration is given to whether and how each secondary actor might help or hinder the process if *included in*, and similarly if *excluded from*, a negotiation or mediation process.

The *issues*, i.e., the substantive topics in dispute, are then identified. The importance of framing the issues, so that all parties would be willing to discuss and include them on an agenda, is highlighted. The process of identifying issues and parties is relatively interconnected, since different issues may involve different parties and secondary actors.



Wertheim introduces the conflict analysis tool

For every issue, each party typically holds a *position*, which is usually its initial advocated solution for addressing its related concerns. These positions are identified for analytic purposes and can serve as a starting point to uncover the *interests* and deeper needs of the parties. Since understanding each party's underlying interests is crucial to the process, substantial time is spent trying to identify interests, which are defined in this context as the concerns, fears, aspirations and needs of each party. While some theorists view *interests* and *needs* as different concepts, we consider needs to be a deeper type of interest. Interests are conceptualized as layered (much like an onion) with deeper interests and needs underlying more superficial or surface interests. Framing of interests, i.e., how they are worded, is also considered, with the aim being to envision each interest from the perspective of the other party, and to phrase that interest in a way that can be heard and appreciated.

Once identified, each party's most important interests are highlighted and used as the basis for generating creative *options*. In the analysis process, analysts are encouraged to separate the process of generating options from that of evaluating them, and to base option generation on the most important identified interests. Only after a large number of options is generated does an evaluation process take place, highlighting those that appear most likely to be acceptable to both parties and those which truly address their concerns (interests).

Relevant *objective criteria* and standards of legitimacy on which to base agreements are also identified, such as international or regional treaties or agreements, resolutions, precedents, international or national laws, or standards of fairness. The idea is that these could provide a framework for “in principle” agreement that could be used as a basis for reaching a more detailed agreement. Consideration is given to whether all parties would accept these standards, and whether introducing them could facilitate or hinder the process, since parties may not agree on which standards are most appropriate or should have priority.

Possible *alternatives* to a negotiated agreement are also considered for each party. When parties to a negotiation complete the analysis, they select the alternative that appears to address their interests most fully and develop it into their best alternative to a negotiated agreement (their BATNA).

Communication and *relationship* issues are identified, including particular strategies and approaches for improving communication and relationships both at the political level (e.g., confidence-building measures) and at the level of specific negotiations (e.g., how to start discussions in a way that creates a more cooperative atmosphere). Finally, potential obstacles to negotiating and ways to address these are pinpointed. Table 5.2 provides a summary of some of the relevant terms.

Table 5.2. Terminology of Interest-based, Problem-Solving Negotiation

ISSUES	General topics about which there is conflict
POSITIONS	The advocated solutions of each party for each issue
INTERESTS	The needs, aspirations, fears and concerns of each party which form the reasons behind its position
OPTIONS	Ideas for satisfying interests which might be combined into a solution
OBJECTIVE CRITERIA	Standards of fairness or legitimacy that can be used to judge or to frame an agreement, e.g., laws, treaties, resolutions of intergovernmental organizations, models of agreements from similar situations, precedents
ALTERNATIVES	What each party could do to meet its interests in the absence of cooperation from the other party or if negotiations break down
BATNA	The B est A lternative T o a N egotiated A greement. Each party’s BATNA is the alternative (see above) that best meets its interests

Development of Conflict Analysis Skills

In order to develop proficiency in this approach (using the worksheet as a tool) conflict analysis is practised throughout the programme before negotiation and mediation exercises are undertaken. For example, before undertaking a negotiation simulation in the first week, participants systematically apply the analysis to a case involving an intrastate conflict between a government and a political movement which represents an ethnic minority from a district within that state. In preparation for the negotiations, participants (from the same side in the simulation) work through the analysis with their team partners, filling



Fellows work on conflict analysis with their negotiating partners



Another negotiating team completes the conflict analysis

out the Conflict Analysis Worksheet based on their role and making educated guesses about the other parties' interests (guesses that will be tested out later in the negotiation exercise when they can probe the others' interests). Then before going into the negotiation itself, the participant teams (from each party) meet, in larger groups with a resource person to compare their analysis with those of other teams, so

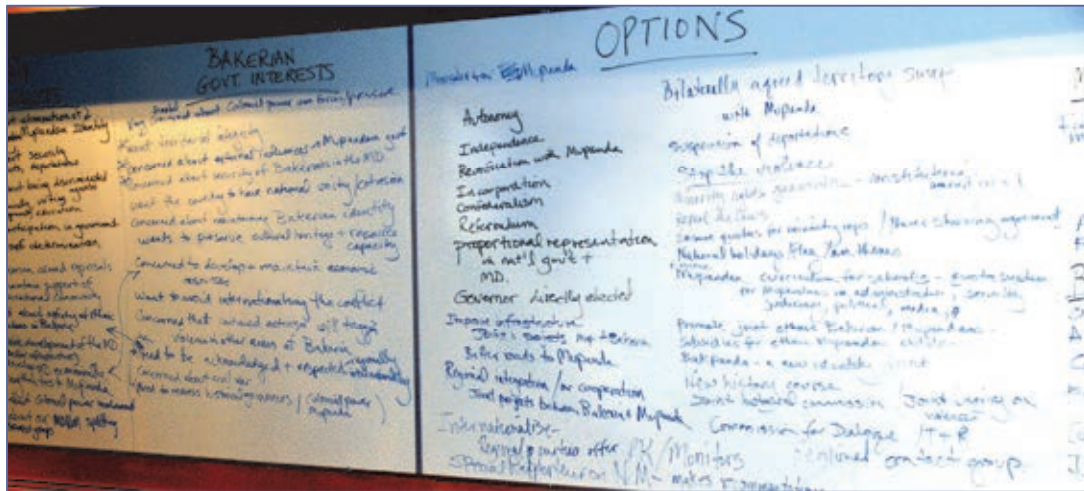
that resource persons can assist participants in elaborating upon, and making distinctions between the concepts. Following a careful conceptual analysis of the conflict, participants role play one of two parties in the dispute to practise the interest-based, problem-solving approach to negotiation.

Skills in conflict analysis are further deepened during the second week through application to the mediation context using an actual case example, which is presented by a resource person highly knowledgeable about the particular situation. Participants read about the case and conduct a conflict analysis in small groups before engaging in a mediation simulation. The conflict analysis worksheet is written



Co-mediators also use conflict analysis in the second week prior to mediation

from the point of view of a party completing it; however, mediators complete a similar analysis.



Conflict analysis results from a small group discussion facilitated by a resource person

When presenting this conflict analysis process, it is offered as a possible tool for participants' work. Feedback about the practical utility of the conflict analysis process has been very positive, with participants commenting during and after the programme on the usefulness of having a clear process to consider the elements of a conflict in a structured and systematic way. Particularly following role-play sessions, participants comment on the tremendous importance of preparation prior to engaging in the process of conflict resolution. Table 5.3 at the end of this chapter shows a range of comments on the conflict analysis exercise offered by Fellows in their end of programme evaluations.

Table 5.1. The Conflict Analysis Worksheet

These pages provide a simple analytic tool to help participants focus on the most basic kinds of questions needed for dispute settlement. A proper analysis, of course, requires an in-depth knowledge of the conflict, in its historical and contemporary context, as well as knowledge of the peoples and leaders involved, including their cultural, political and economic environment.

If in doing your analysis you need more space, please use the back of each page.

PARTIES

Identify the main parties and major factions within each party:

-
-
-
-
-

ISSUES

Briefly define the major issues (broad topics) in conflict at this point in time:

-
-
-
-
-
-

POSITIONS

In a complete conflict analysis, it is useful to identify the position (advocated solution) of each party for *each* of the issues listed above. For the purpose of the current exercise, choose one issue and identify each party's position with respect to that issue. If more than two parties are involved, do the same for each additional party on the other side of the paper.

Issue:

Position of Party A:

Position of Party B:

INTERESTS

Explore each party's major interests (i.e., their motivation in terms of their needs, fears, concerns and aspirations). Pay particular attention to deeper interests (and frame these according to the point-of-view of each party). To help you think in terms of each party's interests, begin each interest statement with one of the following terms: *needs...*, *aspires to...*, *concerned about...*, or *fears...* When each party's interests have been fully considered, try to identify each side's most important interests and circle them.

OBJECTIVE CRITERIA

Consider whether there are objective criteria or standards of legitimacy which are relevant and list them below (e.g., international or regional treaties or agreements, resolutions, precedents, international or national laws, standards of fairness). Are the parties likely to agree to these standards and will using the standards facilitate agreement or is there likely to be a disagreement about which objective standards to use and could this complicate the process?

Could Facilitate the Process

-
-
-
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-

Could Complicate the Process

-
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-
-
-

BATNAs

Consider each party's possible alternatives to a negotiated settlement, i.e., what each side might do if agreement is not reached. Try to identify alternatives that would satisfy the parties' interests rather than ones that simply seek revenge. Circle what is likely to be each party's BATNA: **B**est **A**lternative **T**o a **N**egotiated **A**greement. (When completing this worksheet as one of the parties: improve your own BATNA further into a fully developed plan.)

Possible BATNAs of Party A

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-

Possible BATNAs of Party B

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-
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-
-
-
-

COMMUNICATION/RELATIONSHIP BUILDING

Before going into the negotiation session, consider what you can do to try to improve the relationship and reduce hostility (e.g., what could you say to the other party to improve the situation, what goodwill gestures could you undertake, etc.)

Make your proposals as specific as possible:

-
-
-
-
-
-

SECONDARY ACTORS

Identify the secondary actors, including those who are likely to play a facilitating or hindering role. Consider which of these secondary actors might be invited to join a negotiation or mediation process. Note what the advantages and risks of including or excluding them might be.

<i>Secondary Actor</i>	<i>Advantages of Including</i>	<i>Risks of Including</i>
a)	•	•
b)	•	•
c)	•	•
d)	•	•
	<i>Advantages of Excluding</i>	<i>Risks of Excluding</i>
a)	•	•
b)	•	•
c)	•	•
d)	•	•

It may be useful to consider the interests of any parties who are hindering negotiations.

OTHER OBSTACLES TO NEGOTIATIONS

PROPOSALS FOR OVERCOMING THESE OBSTACLES

Table 5.3. A Sample of Responses about Conflict Analysis from the Evaluation Question: “What were the most useful concepts presented?”

“Interest-based conflict analysis because it provides a means to move negotiations to a more substantive and constructive phase.”

“Conflict analysis: I now understand the dynamics, when I used to jump to defining positions.”

“Distinguishing between positions and interests was an eye-opener. The step-by-step approach in conflict analysis helped in the negotiation exercises—to prepare the negotiators thoroughly not only in terms of our own issues but also those of other parties. This helped in mapping out a strategy for the negotiations.”

“I found the concepts of ‘positions’, ‘issues’ and ‘interests’ very useful and identifying these in the conflict analysis worksheet provided a good way of understanding the situation.”

“Conflict analysis, because it helps to organize ideas revolving around a conflict. In the final analysis, it improves your understanding of your interests and those of your counterpart while identifying the best possible outcomes.”

“Conflict prevention, conflict analysis and negotiation techniques are all part of my everyday work and therefore it was extremely useful to get to know these issues and have a chance to practise them.”

“The conflict analysis worksheet because it is a comprehensive tool for negotiation and mediation.”

“The conflict analysis helped in our future facilitation activities to better prepare before getting into helping parties involved in conflicts. This is a tool to share with other people before the process starts.”

“The conflict analysis concept was the most useful as it was a straight-forward concept that helps to dismantle the conflict and to better understand it.”

“The conflict analysis worksheet, because it structures one’s thoughts and ideas and is a tool that one can utilize in all kinds of conflict situations.”

“Conflict analysis is very useful as a fundamental basis for the rest of the course.”

“Conflict analysis: sets a clear method for treating conflicts. The conflict analysis worksheet = excellent.”

“This exercise was useful in cementing concepts. It was particularly useful to go through the interests/options in a group prior to negotiation.”

“The conceptual frameworks on negotiation, mediation and conflict analysis were brought to life in the practical exercises we engaged in.”

“I found it very helpful to systematize the conflict analysis. This will be a very useful tool in my work. The fact of having a structure and a system to do that helps a lot when addressing conflicts either for negotiation or mediation.”

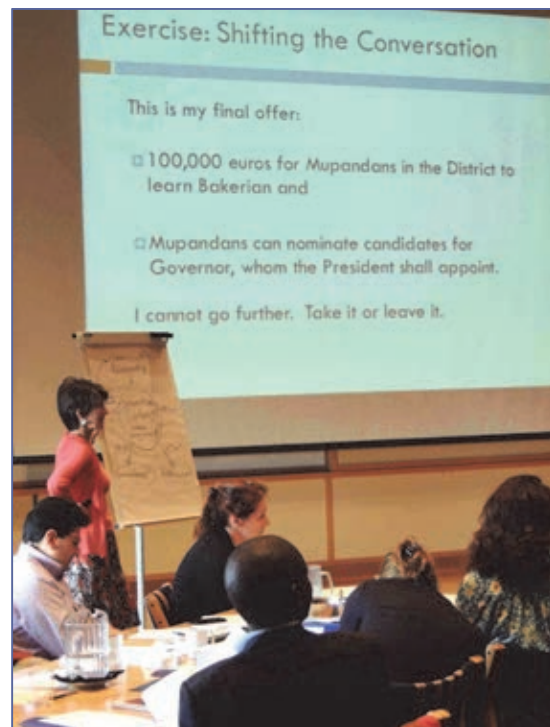
Managing Difficult Behaviours in Negotiation

DIANA CHIGAS AND ELEANOR WERTHEIM

Most conflict situations require negotiators to deal with challenging, and often unconstructive, behaviours. These behaviours can include irrational statements or demands, intransigence, personal insults, untruthful statements, intimidation tactics, emotional reactions and accusations, among others. An important component of the Fellowship Programme is reflecting on these challenges and providing tools for dealing with them. Concepts and tools for framing and reframing help to shift unproductive and confrontational negotiation dynamics to more problem-solving interactions.

Framing

Framing is an important concept and skill to prevent or minimize resistance to negotiation proposals and to promote problem solving in the process. Framing involves conceptualizing, labelling or defining the problem or issues in negotiation. Frames are how parties perceive and label the nature of the conflict, the issues, the expected outcomes and the process for reaching those outcomes, and how parties view the other party(ies) and themselves. They help negotiators organize and process complex information by focusing on a particular aspect of the situation and providing a way of viewing the problem. How one defines or frames issues has a powerful effect on negotiation dynamics. It affects how parties talk about problems, their strategies and behaviours, and the way the negotiation process unfolds, including the degree to which the negotiation is position- or interest-based. It also affects the range of possibilities that the parties consider for addressing the conflict.



Chigas discusses ideas for dealing with difficult negotiating behaviours

A tension exists between a negotiator's desire to frame the situation in ways most favourable to his or her position and the need for frames that facilitate constructive interactions with the other side and open possibilities for resolution. Difficulties arise



All Fellows have an opportunity to practise listening with feedback from an observer

when frames compete with each other, for example, when one party frames a situation as “liberation from oppression” while the other characterizes the situation as an “occupation by invading forces,” or one party’s “fight against terrorism” is the other’s “fight for freedom.” In these situations, conflicting frames can be at the heart of the conflict and lead to escalation and stalemate. Frames also can generate defensiveness in the other side. When a party blames or

accuses the other side, or uses “toxic” language that provokes emotional reactions, the other party often becomes more adversarial and more entrenched in its position. Finally, when frames are zero-sum, a win-lose dynamic prevails, and negotiations often become more adversarial.

With these difficulties in mind, the Fellowship Programme provides practical guidance for framing issues in ways that allow the other party to respond constructively, such as:

- Use of neutral language or problem-solving statements
- Integrative (where joint gains are possible) rather than zero-sum descriptions of issues. For example, a negotiation agenda that includes discussions about both land use and ownership of property is likely to lead to more productive discussions and a wider range of options than one limited to the question of ownership alone
- Focus on conflicts of interest rather than conflicts of values
- Avoidance of blaming or accusatory language
- Statements that address concerns of both sides rather than one side only

These principles of framing can be useful in formulating opening moves in a negotiation. The language, tone, and focus of discussions at the start of a negotiating session provide important signals about the nature of the process, and often determine whether it will be adversarial or cooperative.

Reframing

Understanding how to frame issues and conversations constructively is an important foundation for *reframing*. Reframing involves responding to unconstructive language,

tactics or behaviours in ways that shift the dynamic and leave room for interest-based negotiation. It is a critical negotiating and mediating skill, as it can often shift an adversarial or stalemated process to one that assists all parties to negotiate productively and helps to manage positional, rigid or aggressive behaviour.

Redefining or reconceptualizing problematic statements, communication and positions can help overcome stalemate in negotiation. For example, toxic terms or phrases can be transformed into more neutral language, thereby avoiding emotional reactions that obstruct negotiations. Similarly, issues might be redefined in terms of the parties' interests rather than their positions, or recast from one-sided statements to include concerns of both sides. Shifting the level of definition of issues—from general to specific or from specific to general—can also generate possibilities when negotiations are at an impasse. Table 6.1 provides examples of uses of reframing to facilitate progress in negotiation.

Table 6.1. Examples of Framing and Reframing

REFRAMING “TOXIC” LANGUAGE AND FOCUSING ON INTERESTS

During the negotiations to end fighting in Aceh, the Government of Indonesia insisted on “special autonomy” for Aceh, while the GAM (Free Aceh Movement) insisted on an end to “special autonomy.” To bypass these opposing positions, Martti Ahtisaari, the mediator, reformulated the issue as “self-governance.” This reframing was acceptable to both parties, since it addressed the Government’s concerns about ensuring Aceh’s status as a province of Indonesia, while simultaneously mitigating the GAM’s fears of false governmental promises associated with the term “special autonomy.”

REFRAMING FROM ONE-SIDED DEFINITION OF ISSUES TO A STATEMENT THAT INCLUDES THE CONCERNS OF BOTH SIDES

Climate change was initially viewed by some as predominantly an environmental problem rather than a development problem. Developing countries succeeded in reframing the issue from one of “protection of the environment” to “sustainable development,” shifting the framing of the climate change problem to include linkages between the environment and development, and ensuring that the specific development-related concerns of developing countries gained prominence on the climate change agenda.

FRACTIONATING ISSUES: REFRAMING FROM GENERAL TO SPECIFIC

The parties in one conflict held competing positions regarding the constitutional structure of the state: “federation” versus “confederation.” To move beyond this barrier, in one dialogue, parties were asked, and agreed, to refrain from using those terms. The problem was reframed from “which structure shall we adopt” to “how shall we deal with education, taxation, police, justice, immigration, etc.?” By focusing on particular functions of government, rather than the more general concepts of federation or confederation, the parties were able to make progress in discussions on division of powers between central and regional governments.

Reframing strategies also assist in formulating effective responses to difficult negotiators. Difficult negotiator behaviours often elicit instinctive responses that escalate unproductive dynamics, such as responding to threats with counter-threats or with punitive reactions. In this context, reframing involves shifting the dynamic created by unconstructive or difficult negotiation tactics or behaviours by responding more strategically, rather than simply reacting to them. While acknowledging that some negotiators seek to gain tactical advantage in negotiations by acting in difficult ways, and that personality and style may be issues, reframing of strategies assumes that people can shift to productive communication and problem solving when they feel they are respected and their interests are being heard and considered.



Fellows negotiate two-on-two in a simulation based on a real conflict

The seven elements of negotiation (outlined in Chapter 4) can be used as a tool for analysing difficult behaviours and developing strategies for reframing and shifting the conversation. The first step is to analyse the negotiation dynamic, identifying which negotiation elements are being emphasized and how. Bringing different elements into the conversation can often redirect the negotiation, without confrontation or argument. Therefore, the second step is to decide where to attempt to redirect the negotiation. The third step is to formulate a concrete response—what one might actually say that would constructively influence one's counterpart. Planning what to say and evaluating the results provide important insights into the challenges of analysing and designing strategies for shifting conversations. Common cognitive and psychological processes make it likely that what is intended is often not what is heard or understood by negotiation counterparts. Often it is the details, from choice of words to tone, emphasis and sequencing of communication, that determine whether reframing is successful. Table 6.2 at the end of this chapter displays examples of how this process can be employed.

Currently Perceived Choice

The Currently Perceived Choice tool⁹ can help guide framing and reframing of issues, proposals and negotiation strategies to overcome stalemate or assist in responding to intransigent counterparts. The purpose of this tool is to give a negotiator a clear and empathetic understanding of why another party is now saying "no" to what may appear to be reasonable conflict solutions. This tool helps understand the target decision maker(s)' underlying motivations, perceptions and choices so that one can frame the problem in a way that is persuasive *to the other side*. It asks four questions:

- 1) *Who is the target decision maker? Who needs to take the decisions or actions we seek?* Decisions are made by individuals (or groups of individuals), not organizations.
- 2) *What is the question that the decision maker sees him or herself being asked?* The challenge is to capture the question that decision makers perceive they are being asked to take, not the question from our perspective.
- 3) *What are the consequences for the decision maker of saying "yes" to the decision or action he or she perceives is being advocated?* This question provides insight into decision makers' interests—and how they perceive the proposal would affect them. It asks what they fear or imagine might happen—to them, their constituents, their organization, etc.—if they were to say "yes." If decision makers are not taking the desired action, one can assume that they perceive the *negative* consequences of saying "yes" as outweighing the positives.
- 4) *What are the consequences, from the decision maker's perspective, of saying "no?"* If decision makers are refusing to take action or accept a proposal, it is likely they perceive positive consequences of saying "no" or of postponing taking action. Analysis of this question provides insight into how decision makers perceive the strength of their alternatives to negotiation.

Figure 6.1 provides an illustration of the Currently Perceived Choice (CPC) tool—analysing, in retrospect, the decision in 2004 of the President of the Republic of Cyprus, Tassos Papadopoulos, not to support the Annan Plan for the settlement of the Cyprus conflict.¹⁰ Grounded in the premise that decision makers act rationally *from their own perspective*, the CPC attempts to understand what factors would have led the Greek Cypriot leader to oppose the Annan Plan. While the CPC analysis is not a definitive or

⁹ Initially described as the Presently Perceived Choice approach in Fisher, R. & Ury, W. (1981) *Getting to Yes: Negotiating Agreement Without Giving In*. London: Hutchinson, pp. 47-48.

¹⁰ The Annan Plan included provisions for power sharing, allocation of powers between a central government and sub-national entities, return of refugees, property and territorial arrangements and security.

comprehensive analysis of a situation, it can assist negotiators to understand what the other's perspective might be when they seem irrational in their refusal or intransigence. A better understanding of factors affecting target decision makers' perceptions of the problem and proposals being offered provides the basis for framing better proposals that satisfy interests and make alternatives to negotiation less attractive. Considering Papadopoulos' concerns about agreeing to the plan (if he had said "yes"), as depicted in Figure 6.1, highlights likely political, economic and psychological interests that would need to be addressed before a proposal might be acceptable, such as: legitimacy and functionality of the government, security, acknowledgement of claims and losses suffered by Greek Cypriots in the conflict, among others. In parallel, the positive consequences of his saying "no" to the plan demonstrates what makes his BATNA attractive, and points to possible directions for making the BATNA less appealing.

Figure 6.1. Currently Perceived Choice Tool

Currently Perceived Choice of Papadopoulos	
Question: Shall I now support acceptance of the Annan Plan?	
<u>If I say "yes"</u>	<u>If I say "no"</u>
<ul style="list-style-type: none"> - The previous government (Clerides) gets credit - Turkish military does not withdraw – we continue to be threatened with domination by Turkey - We appear to accept changes the UN made to the Plan in capitulation to last minute demands by Turkey - Many people will never go back to their homes - We suffer economically – we have to pay for Turkish Cypriot development once reunification occurs - We give up our claims for human rights ("four freedoms") - Many civil servants will not keep their government posts - We lose public support <p><u>BUT:</u></p> <ul style="list-style-type: none"> + There is a solution + Europe is happy 	<ul style="list-style-type: none"> + I look tough + We uphold our cause + We uphold our rights + We continue our economic growth – there is no drain on the economy from supporting Turkish Cypriot development, and Greek Cypriots will not face competition from Turkish Cypriot businesses + We will get into the EU no matter what + We will be protected from Turkish troops by the EU + We can get better terms from inside EU <p><u>BUT:</u></p> <ul style="list-style-type: none"> - The EU members will be unhappy - The Cyprus problem is still not solved - Our governing coalition might break apart <p><u>NEVERTHELESS:</u></p> <ul style="list-style-type: none"> + The EU won't be able to sanction us + AKEL (our coalition partner) will not quit – they won't cooperate with DISY (the opposition) or the US

Using Framing and Reframing in the Range of Conflict Contexts

The concepts and skills of framing and reframing are important across the range of conflict-handling mechanisms: negotiation, mediation, reconciliation and so forth. Even for negotiators familiar with these principles, their implementation in difficult conflict situations is often challenging. The Fellowship Programme provides

opportunities to practise and receive feedback from peers on framing and reframing strategies in conflict situations. These activities aim to increase awareness of a range of responses to difficult behaviour and enable more deliberate framing and reframing when responding, hopefully improving the likelihood of a positive outcome.

Table 6.2. Reframing (Redirecting) a Negotiation Using the Seven Elements

In the Fellowship Programme, case examples and short scenarios are used to illustrate the concepts.

Example 1: Reframing “Take It or Leave It”

In one situation, former United States Trade Representative Charlene Barshefsky’s response when negotiating with a tough counterpart illustrates the process of reframing.

“Menacingly, he leaned forward across the table toward Barshefsky and said flatly, ‘It’s take it or leave it.’ Barshefsky, taken aback by the harsh tone, surprised her counterpart by sitting quietly. She waited 30-40 seconds—an eternity given the intensity of the negotiation—and came back with a measured reply: ‘If the choice is take it or leave it, of course I’ll leave it. But I can’t imagine that’s what you meant. I think what you mean is that you’d like me to think over your last offer and that we can continue tomorrow.’”¹¹

The “take it or leave it” position emphasized *commitment* and *alternatives* to negotiating; the negotiator was prepared to commit only to his proposal, and indicated he was prepared to walk away if it was not accepted. Barshefsky, while communicating that her Best Alternative to a Negotiated Agreement (BATNA) was not so bad, chose not to escalate tension by continuing to discuss the alternatives. Rather, she redirected the conversation to the elements of *relationship* and *options*, allowing her counterpart to save face, and proposed to postpone *commitments* until later.



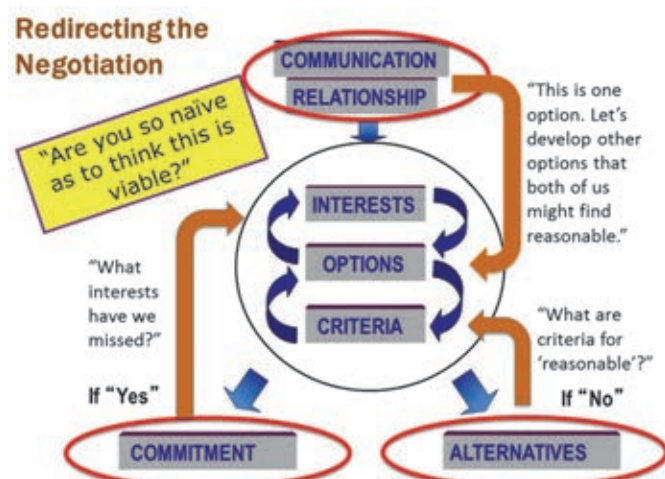
¹¹ Sebenius, J.K. and Hulse, R. (2001) *Charlene Barshefsky (B)*. Harvard Business School Case 801-422, March 2001, pp. 10-11.

Example 2: Hypothetical Scenario

Short scenarios that reflect common challenges negotiators face can also be used to illustrate the steps of reframing and to provide an opportunity to practise steps of reframing. For example, in practising reframing, a simple quote can be analysed:

“Haven’t you understood anything? Are you so naïve as to think this is viable? Come to me with a reasonable proposal, and then we will talk.”

The seven elements of negotiation can be used to analyse this negotiation behaviour and devise a strategy for responding to it. In this case, where the counterpart is questioning the negotiator’s competence and status (*relationship*), implying that he or she is prepared to walk away



she is prepared to walk away (*alternatives*) and putting the onus of option development on the negotiator (*options*), the negotiator may choose not to react to the personal insult. The negotiator could redirect the conversation to *interests* (e.g., “these are the interests we believed the proposal has met. What have we missed?”), *criteria* (e.g., “What might be a standard

for a reasonable proposal?”), or other aspects of *options* (e.g., “This is one option we developed, among many possible options that might be acceptable to both of us. Let’s set aside some time to develop more ideas that you and we will find reasonable”). If none of these strategies succeed, the negotiator could negotiate with his or her counterpart about the behaviour itself, such as discussing the types of negotiation approaches that are likely to be more or less productive and developing ground rules for how the negotiators will interact (*relationship and communication*).



Negotiation in progress

An Interest-based, Problem-solving Approach to United Nations Mediation

CONNIE PECK

The second week of the Fellowship Programme is devoted to training in mediation and systematically builds on the theory and practice of the first week’s curriculum on negotiation (Chapters 4-6). It focuses primarily on mediation through the UN (although, on occasion, it has also provided examples of mediation through regional organizations or Member States). This week covers mediation theory, mediation practice—through an extensive mediation exercise—and lessons learned from mediation experience, as well as case studies of UN mediation efforts. Chapters 7-16 cover the range of topics discussed in the second week of the programme. However, before being introduced to mediation theory, participants are given an overview of UN mediation in its broader context, as described below.



Peck thanks former Fellow, Tamrat Samuel, for sharing his UN mediation experience

Since its inception in 1945, much of the effort of the United Nations has been aimed at the “maintenance of peace and security” and the “peaceful settlement of disputes”—objectives set out in the UN Charter. These have been carried out through three main approaches to dispute settlement discussed in the conflict resolution literature: power-based, rights-based and interest-based.¹² In this context, the Security Council can be said to represent the UN’s power-based approach; the International Court of Justice, its rights-based approach; and the Secretary-General and his Special Representatives, its interest-based approach. While all three approaches to dispute settlement are necessary for a comprehensive dispute settlement system, the Fellowship Programme

¹² These three approaches to dispute settlement were first articulated by Ury, W., Brett, J. and Goldberg, S. (1988) *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*. San Francisco: Jossey-Bass.

focuses primarily on the interest-based approach, since it is less costly and tends to lead to more satisfactory outcomes than either a power-based or rights-based approach. The programme stresses the importance of the skilled use of an appropriate methodology and early involvement.

The Importance of Resolving Disputes/Conflicts in a Timely Manner

It has been well-established that the most propitious time to resolve a dispute is at an early stage, before it becomes violent, when issues are fewer and more specific, parties more defined, positions less hardened, relationships less damaged, and emotions more



Ample opportunity is available for discussion

contained. In contrast, when the threshold of armed conflict is crossed, a multitude of factors (caused by the violence itself) transforms the dynamic. With the loss of life and property, there is a dramatic increase in grievance on all sides. The actions of each party are seen by the other as provocation, requiring retaliation, and both gains and losses in the conflict reinforce escalation—in the first instance, because of the hope of

prevailing; in the second, out of a sense of injustice and desire for revenge. As violent conflict is prolonged, issues expand and become more generalized. The number of parties proliferates, as new groups join the fray and existing groups split into factions.

Conflicts also tend to spread geographically as alliances are formed and cross-border flows of weapons, refugees and rebels cause the conflict to spill over into neighbouring states. In the worst cases, what began as a local conflict quickly engulfs surrounding countries or an entire sub-region. The rapid transformation of a peacetime economy into a war economy, based on arms trade, plunder of national resources, black markets, smuggling, and trafficking creates new incentives for belligerents that make war more profitable than peace.

Moreover, the longer a conflict persists, the more intractable it becomes, making its resolution ever more difficult; its impact on people, communities, institutions of state and the sub-region ever more devastating; and the cost of rebuilding ever more expensive. Thus, even when disputes turn into armed conflict, the sooner mediation is initiated, the better. However, “too little, too late” has been a major criticism of United Nations Security Council action, including the planning and deployment of UN peace operations. Such delay has greatly impeded effectiveness and sometimes resulted in a situation deteriorating beyond the point where effective action can be taken.

The Usefulness of Skilled Third-Party Mediation

Self-perpetuating dynamics and the cycle of mutual grievance and desire for revenge make most conflicts very difficult to end. Persuading parties who have been involved in violent conflict to come to the negotiating table and engage in peace negotiations is, therefore, a major challenge.

Even when parties say they are ready to negotiate, most tend to view negotiation as a competitive, zero-sum “traditional” distributive bargaining process (discussed in Chapter 4), rather than a cooperative, positive-sum, problem-solving one (also discussed in Chapter 4). As a result, many processes break down even before they



SRSF Ian Martin shares lessons learned in Timor-Leste, Nepal and Libya

begin, when one or more of the parties impose unacceptable demands as pre-conditions for entering negotiations. Even when negotiations do get started, without a skilled third party to guide the process, the parties tend to simply transform their power struggle from the military arena to the negotiation table and become entangled in adversarial debate that can result in a breakdown before much is achieved.

In such cases, each party advances its positions (its advocated solutions to *its* view of the problem) and each argues in favour of its own positions/solutions and against those of the other. In pursuit of winning at the bargaining table what they were unable to win on the battlefield, parties often employ a range of coercive tactics to attempt to force the other party to make concessions. These coercive tactics include: blame for past atrocities or injustices, recrimination, insults, threats, ultimatums and walk-outs. But, in fact, such tactics often backfire—causing the other side to react in kind and bringing the whole process to a standstill. The involvement of an acceptable, skilled third-party mediator can help to transform this adversarial approach into one of problem solving.

An Interest-based, Problem-solving Approach

In contrast to a “traditional” distributive bargaining approach, a skilled third-party mediator can use an interest-based, problem-solving approach to engage in an analysis of the conflict before seeking a solution. This involves helping each party to better understand its own core interests/concerns, as well as those of the other party, so that they both can move away from entrenched positions to explore innovative options that might address their concerns and provide a tailored solution that can help reconcile

their interests. New ideas are gradually introduced and, in some cases, international standards, practices and models examined. The more promising options are refined by the mediator with feedback from the parties and gradually pieced together until a mutually-acceptable peace agreement is achieved that satisfies enough of the parties' core interests that they are willing to sign. Throughout the negotiations, the mediator helps to guide the process by ensuring that procedural rules are established and followed in order to create a constructive process and keep emotions under control. It can be helpful to introduce the parties to the concepts and skills involved in an interest-based approach before putting it into practice, although even without formal training, the process can still be effective with skilled mediation.

The main features that distinguish this approach are:

- 1) An agreement on procedural rules to guide the mediation process, and development of an agreed agenda of issues to be discussed which may evolve over time with more thorough discussion between the parties.
- 2) An in-depth exploration and understanding by the mediator and the parties of each side's core interests/concerns which must be addressed to achieve a sustainable settlement.
- 3) The interposition of the mediator as an impartial third party who, in effect, becomes the negotiating partner for each side, and who, through shuttle or proximity talks¹³ (or even in direct talks if this is the mediator's preference), probes interests and explores innovative options with both parties. This allows each party to have a constructive partner as its interlocutor and overcomes the difficulty of parties having to deal directly with those with whom they have a bitter adversarial relationship.
- 4) An exploration with the parties of innovative options for addressing key interests which move beyond each side's positions and identify new possibilities that may not have been considered before, but which might be combined and refined into mutually-acceptable agreements. These are built from ideas presented by the parties, the mediator, experts, NGOs and civil society or they may be derived from international standards, models or best practices. After a series of consultations with the parties, these ideas are gradually refined until agreement is ultimately reached.
- 5) The gradual building of confidence and the subsequent improvement of the atmosphere between the parties that comes from sequential successes in

¹³ In both shuttle and proximity talks, the intermediary speaks separately to each of the parties, moving back and forth between them. However, in shuttle diplomacy, the intermediary travels to the parties' distant locations, whereas in proximity talks, the parties' negotiators go to a location near to one another to engage in the mediation process. Thus, proximity talks typically are easier for the mediator as less travel is involved and progress can be faster.

reaching agreement. Eventually this can provide the basis for the mediator to bring the parties into direct talks (if this has not been the case earlier).

- 6) The encouragement and support of other influential actors that can reward progress and nudge reluctant parties towards accommodation, agreement and gradual reconciliation.

Mediation in the United Nations

Within the UN context, mediation or “good offices” are carried out by the Secretary-General, his representatives and envoys and sometimes by UN staff—at the request of the parties, on the Secretary-General’s initiative or upon a request from the Security Council or the General Assembly. For UN mediation to be effective, the parties must accept a mediation role for the Organization, allowing the UN mediator to meet with and listen to all of the parties in order to help them find solutions that will resolve the conflict.



Roed-Larsen shares his experience in the Middle East as a Special Envoy of the Secretary-General

The United Nations, however, does not have a monopoly on mediation. Chapter VIII of the UN Charter urges Member States to resolve “local” disputes through “resort to regional agencies or arrangements.” Indeed, since the end of the Cold War, there has been an expansion in the number and kind of international actors engaged in mediation—ranging from regional and sub-regional organizations to states and non-governmental organizations. But based on its more than 69 years of work in the field,

the United Nations has the advantage of more institutional experience in mediation than any other organization.

To illustrate the challenges of mediation/good offices in the real world by these organizations, case studies of various conflict situations are presented throughout the Fellowship Programme by those directly involved in their resolution, such as Special Representatives of the UN Secretary-General or senior staff from the Department of Political Affairs; senior staff from regional organizations (e.g., the OSCE High Commissioner on National Minorities); or, in some cases, by a senior envoy from a member state involved in facilitation efforts (such as Norway). Over the years, the various Fellowship Programmes have discussed efforts to prevent or resolve conflicts in Afghanistan, Angola, Bougainville, Burundi, Cambodia, El Salvador, the former



Peck introduces former Minister for International Development, Erik Solheim, to talk about Norway's facilitation efforts

Yugoslavia, Georgia, Guatemala, Haiti, Iraq, Kenya, Kyrgyzstan, Libya, the Middle East, Mozambique, Nagorno-Karabakh, Nepal, Nicaragua, Rwanda, Somalia, Sri Lanka, Tajikistan, Timor-Leste, Yemen and others.

We have found that these sessions provide a rich opportunity to examine theory in the context of specific, real-world situations in all of their complexity and allow Fellows to engage with experienced practitioners to discuss the many facets and subtleties involved in acting as a third-party intermediary. These discussions also provide a deeper understanding of the difficult obstacles and challenges of carrying out conflict prevention and resolution in actual conflict situations and consider ways that these can be addressed. The aim is to refine and guide the preventive diplomacy and peacemaking skills of our participants from the UN, regional organizations and Member States—and ultimately, to improve the practices of these organizations themselves.

Structuring More Inclusive Peace Processes with Particular Reference to Women and Minorities

JOHN PACKER AND ANTONIA POTTER PRENTICE

Inclusivity is now an accepted principle in mediation, as evidenced most recently in the 2012 *UN Guidelines on Effective Mediation*, where it is listed as one of the eight mediation fundamentals. This new “orthodoxy” is rooted in the idea that peace process design needs to change to deliver better quality and longer lasting results. Issues, applications and recommendations related to the principles and practice of inclusivity in mediation processes are, therefore, a focus of the Fellowship Programme.

Conceptualizing Mediation to Promote Inclusivity

Mediation can be conceptualized in broader and narrower ways and these conceptualizations will affect practitioners’ views about the extent to which inclusiveness is possible. Broader views of mediation see it as a facilitative process that legitimately aims to address the root causes of conflict and ideally even transform them. Narrower views see mediation as a small, neutral space with tight boundaries where conflict actors invite mediators to help them resolve specific issues, or simply to cease hostilities.

Typically, highly confidential mediations (or those that start out that way), such as in the early days of the Sri Lankan process or in Nepal, tend to be of the narrower type. Examples of broader processes are those that have taken place in Guatemala, Kenya and Yemen. The nature of the mediation process may also depend on the character of the conflict or the stage of the peace process (e.g., whether the objective is a ceasefire, framework or comprehensive agreement; or whether the process is a closed, highly confidential mediation versus a public, constituency-building facilitation). Increasingly, peace processes are seen as less linear and more multi-dimensional, creating more entry points for inclusiveness.

There are both normative and instrumental reasons to support inclusive peace processes, including the effective participation of women and minorities. Beyond immediate protagonists, interested and influential parties may be included, such as representatives of affected communities, social movements, militias or other stakeholders and elements of the wider society within which the conflict has played out

and the peace will hopefully take hold and endure. The existing range of such parties or constituencies is situation-specific and the nature of the mediation will determine who, when and how to include various representatives.



Antonia Potter Prentice takes questions from Fellows

Normative Reasons for Supporting Inclusive Peace Processes

The basic idea of inclusion is that, in any society, the range of views, needs, interests and aspirations which have a bearing on a conflict merit being heard and considered. This is due not only to the intrinsic value of each and every human being but, more pragmatically, because sustainable peace and development require arrangements which reflect the lived reality of all members of that society. Broad processes with tailored dialogues offer opportunities for highly inclusive exchanges, while narrower mediations focus on the protagonists and those who substantially influence the outcome. Of course, every situation has its own dynamics (which a mediator may affect) and both broader and narrower processes may exist contemporaneously. The creative mediator may help reframe and potentially transform a situation, partly through means of inclusion, working to move away from zero-sum, win-lose calculations to create more space and opportunity for sustainable peace and development.

Some of the norms associated with inclusivity (such as inherent equality) derive in part from human rights frameworks and include procedural requirements, notably that “the will of the people shall be the basis of the authority of government” (Article 21 of the Universal Declaration of Human Rights). Therefore, as interested and affected persons, minorities and women possess rights to participate in political life not least with regard to situations of conflict. In fact, such participation has practical advantages that are important for mediators to note in their efforts to achieve better processes, which contribute to durable peace and evolve beyond the absence of violence towards self-generating, resilient societies capable of managing their own conflicts without violence.

This normative thinking is an important aim of the UN Charter, which affords the protection of human rights, including the principle of equality for women and for minorities. Subsequent international instruments elaborate these norms in terms of more specific standards, notably through the 1979 Convention on the Elimination of All Forms of Discrimination Against Women and the set of UN Security Council Resolutions upon which the Women, Peace and Security agenda is founded (UNSCRs 1325, 1820, 1888, 1889, 1960, 2106 and 2122), as well as the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Importantly, these instruments include express standards on the right to effective participation in public life, which is of considerable importance in the context of peace and security. These have become even more developed at the regional level in Europe.

Instrumental Reasons for Supporting Inclusive Peace Processes

Much can be done to realize the effective participation of women and minorities in peace processes.¹⁴ This agenda offers significant opportunities for better peace processes in terms of effectiveness, sustainability and potentially cost effectiveness and there is a growing but compelling set of experiences to draw from, such as in Yemen (see the box at the end of this chapter).

For example, more inclusive participation of minorities and women can be used to:

- Amplify and nuance conflict analysis
- Access new angles for peace process design
- Generate new options on substance and process
- Build/access new constituencies and work more effectively with existing ones, enhancing legitimacy
- Manage spoilers differently
- Build in increased potential for sustainability
- Create greater knowledge and capacities on the part of all actors
- Create or pilot models for politically inclusive and/or coalition-based governance, decision making and problem/conflict resolution.

In many situations, minorities may already be significant protagonists, or constitute factors within a situation that possess resources (including arms), which may be used not only in self-defence but also to combine with others to effect an outcome. Importantly, minorities may be part of larger communities across frontiers on the basis

¹⁴ For some ideas to overcome commonly presented obstacles and challenges, including recommendations, see: The Initiative on Quiet Diplomacy (2010) *SCR 1325 and Women's Participation: Operational Guidelines for Conflict Resolution and Peace Processes* or go to http://peacemaker.un.org/sites/peacemaker.un.org/files/SCR1325WomensParticipation_IQd2010.pdf



Views are expressed on SCR 1325

of kinship or affinities (such as language or belief) which have powerful mobilizing capacities that can be brought to bear on a conflict in myriad ways. Developments in technology are increasing these possibilities, including for numerically small, dispersed and distant groups.

As such, there exist many reasons—both normative and instrumental—to include minorities in peace processes. One often overlooked instrumental reason is the effect such participation has on the principal protagonists—adding a dynamic through their involvement, interests and simple witness that

causes the principals to expand their considerations beyond “either-or/we-they” calculations and to address the wider society within which peace may be made and sustained.

Inclusion of Women in Peace Processes

The instrumental argument for giving priority to the inclusion of women and the use of the so-called “gender perspective” within inclusive peace processes is based on:

- *Failures and weakness in creating sustainable peace:* Fifty per cent of peace agreements fail within their first decade; research shows that inclusive processes are not only more credible to the public but have a higher success rate.¹⁵ Given the evident absence of women in meaningful roles in almost all peace processes, explicitly ensuring women’s participation in these processes provides a significant avenue for addressing both lack of inclusiveness and the persistent failure and low sustainability of peace processes.
- *The empirical evidence of women’s contributions in peace and security:* There has been a considerable amount of work done since the adoption of UNSCR 1325 to document the added value of women’s participation.¹⁶

¹⁵ Nilsson, D. (2012) Anchoring the peace: Civil society actors in peace accords and durable peace, *International Interactions: Empirical and Theoretical Research in International Relations*, 38 (2), 243-266.

¹⁶ See e.g., United Nations Reports of the Secretary-General on women and peace and security (New York: United Nations, 2011, 2012, 2013), UN document references: S/2011/598, S/2012/732, S/2013/525; Accord, African Union Peace and Security Council, SIDA, (2011) *Resolution 1325 in 2020: Looking Forward, Looking Back*. Umhlanga Rocks: Accord; Anderlini, S.N. and Tirman, J. (2010) *What the Women Say: Participation and UNSCR 1325, A Case Study Assessment by the International Civil Society Action Network and the MIT Center for International Studies*. Online: ICAN/MIT; UN Women (2010) *Women’s Participation in Peace Negotiations*. New York: UN Women.

- *The normative weight of the issue, enshrined in seven UN Security Council Resolutions* (as noted above), which is more than any other distinct “theme” or “issue” within peacemaking.
- *Equality concerns:* Women are half the population, disproportionately victims in war and its aftermath, and disproportionately under-represented in public life globally. Therefore, the range of their views from these perspectives is relevant to the design and practical implementation of sustainable peace.

The place of women in peace and security is express. It has been formally secured and is rooted in United Nations Security Council Resolution 1325 (2000) and its six accompanying resolutions. Resolution 1325 was the fruit of intense civil society advocacy and effort, principally by women’s organizations. This large, growing network is also significant in advocating, supporting and monitoring institutional efforts to implement the resolution, alongside its own role in direct implementation. This gives the resolution a special character, but also presents particular challenges. Notably, it is easy to win international credibility by signing up to such standards, but equally easy and virtually cost-free not to implement them. Its accountability mechanisms remain weak and, in the view of the UN Secretary-General in the latest three of his annual reports on the resolution, it is being patchily implemented with areas of deep concern, in particular the lack of progress on women’s participation in peace processes at all levels.

It is, perhaps, obvious that it is easier to integrate women’s inclusion and the use of a gendered perspective into the broader and more open rather than the narrower mediation



Fellows in discussion with Potter Prentice

space, especially if the main actors in a narrowly conceived mediation do not believe that women or other excluded actors have a role to play. In the earliest stages of mediation, which will often be highly secretive and closed, the chances of the conflict parties insisting on a gender perspective or women’s representation are even more remote than an international institutional bureaucracy or private diplomacy actor doing so. The major question, then, is what room a mediator—acting in a broader or narrower sense—has to bring to the table issues like women’s inclusion, women’s rights and gender if they have not, so far, been a stated or even implicit interest of the conflict parties. If some segment of the broader society expresses an interest in this

issue, then this may, indeed, provide an avenue. However, if no one does, this may reduce the mediator's options.

Options for Implementing UNSCR 1325

Some of the options for implementing the UNSCR 1325 agenda in a way that supports mediation include, in rough sequence:



Professor John Packer (right) and a Fellow

- Reviewing team/delegation composition for relevant expertise, to ensure they have the technical expertise required and also to be inclusive in one's own conduct and be seen as such for the purposes of credibility
- Institutionalizing gendered conflict and power analysis
- Being aware of personal, institutional and contextual biases about gender, peace and security
- Institutionalizing consultation with women's groups of all sorts on all relevant peace and security issues (not only on "women's issues"—remembering that women are themselves a heterogeneous group) and at all levels of society and governance
- Thinking of inclusivity, and the priority of women's inclusion within that, as an opportunity to generate options, not as a penalty-bearing headache
- Accessing existing UN and NGO resources offering training, mentoring, materials and/or facilities on gender and mediation
- Making use of the existing resources specifically designed to support women candidates for positions by providing relevant knowledge, skills and experience in given conflict contexts
- Designing mechanisms for women's input, consultation and access, including feedback loops
- Supporting engagement between women's representatives and male decision makers (e.g., negotiators, religious leaders, media content editors)
- Providing peer-to-peer exchange/exposure opportunities for men and women to challenge perceptions, provide solidarity, and open up thinking
- Considering the options to use incentives and time-limited quotas (backed up with capacity building and technical support) for inclusion of women at various stages of peace processes

- Developing a dedicated inclusion strategy that includes women as a core grouping
- Mobilizing all those from within and outside a context who can positively support the effective participation of women in peace processes

Application to Minorities

With relevant adjustments, all of the above also apply to minorities, notably, considerations and actions with regard to composition of delegations, power analysis, biases/prejudices, consultations, options, training, provision of resources, contacts with decision makers, peer-to-peer and other exchanges, possible quotas, strategy and mobilization of others. Each of these is an important element of a successful approach in achieving more effective participation and better peace processes. In the case of minorities, other important—arguably essential—considerations and actions include applying cultural sensitivity with possible accommodations for use of language(s) and respecting religious beliefs and practices.

These considerations and actions not only reflect the existing nature of the wider society, inclusive of minorities and women, but can have important effects, especially in broader peace processes. While they add some aspects of complexity to a process, they also add important value which increases the chance of success, notably in terms of sustainability and of “getting it right” in moving from negative to positive peace.



Resource persons also have a chance to share ideas at the Fellowship Programme

Inclusion of Women in Yemen's Political Transition

Amongst the poorest countries globally, Yemen offers an example of how a normatively grounded approach pursued by a determined mediator can realize positive effects in a negotiated peace process. The experience has drawn attention across the region and beyond.

Background

Prior to engagement of the UN Special Adviser of the Secretary-General on Yemen, SASG Jamal Benomar, the Yemeni transition offered no explicit role for women. By gaining personal trust, the SASG built consensus on a detailed road map—the Gulf Cooperation Council Initiative Implementation Mechanism Agreement of 23 November 2011—expressly including women's participation. This was largely achieved by invoking the UN's normative framework and accumulated experience.

Among principles introduced by the SASG was “inclusion” of youth and women, who played roles on the streets and in squares during the Yemeni “revolution.” The SASG successfully argued for including women in the transition process, relying on the minimum standard of 30 per cent participation.

The principle of women's participation was translated from aspiration into concrete terms through close attention, repetition of messages and continued advocacy. With this approach, women would be represented in the Comprehensive National Dialogue Conference (NDC, a cornerstone of the political transition) as their own independent “constituency” and the minimum standard of 30 per cent women's representation would apply equally in each of the “other” constituencies, *in all bodies and at all levels*, to the extent possible. The SASG's constant support for this practice generated new women leaders, contributing concretely to the “New Yemen.”

Challenges

The SASG's approach met with challenges. After accepting the norm of inclusion as both a requirement and opportunity for their own participation, political parties and others faced the practical problem that there were no women leaders of political parties and few women among leadership ranks of the parties and main movements (or militias). As such, the question became “how” to include women at the rate of 30 per cent.

The problem of identifying who exactly to include (as “representatives”) was also relevant for Yemen's small civil society, which is far removed from political power. Issues of independence, authenticity and legitimacy were all raised.

In practice, political parties self-appointed women from within their ranks. Of course, there were disparities in terms of the capacities of those selected (sometimes wives and daughters). More challenging was “independent” candidates selected for the NDC representing genuine social groupings (e.g., among civil society, women, and youth). Due to severe constraints of time and

money, the NDC selection process was run by the Technical Preparatory Committee (TPC—including interested actors) pursuant to an open call for applications. This resulted in some 10,000 submissions from across the country. The TPC organized itself, formed selection panels and made choices.

Success

The SASG's actions and his office's continued investment in the effective participation of women has had a clear, positive impact in Yemen. Women went from being absent to substantially included as a distinct constituency, as part of the other constituencies, and in all bodies at all levels. The effect has been transformative with a now general respect for the norm of inclusion. The change has brought additional voices, approaches, priorities and witnesses into the political transition, which changed the character of the dialogue process. Women enjoy a voice in the transition process and have gained weight as necessary partners and allies. As the process evolved, women participants honed skills and became more effective, resulting in new women leaders emerging who gained the confidence and respect of their counterparts. This became a virtuous cycle which has extended into the wider society, with public broadcasting contributing to an observable "change in political culture" in Yemen.

While the achievements remain fragile, it is now broadly viewed as illegitimate to remove women from political processes, hence the standard of inclusion has been entrenched. Hundreds of women have participated and become accustomed to political practice—no longer intimidated by unknown fora. It would now be difficult to reverse the "new normal" in Yemen.



Special Adviser Jamal Benomar (right) listens to the views of women taking part in the National Dialogue Conference process

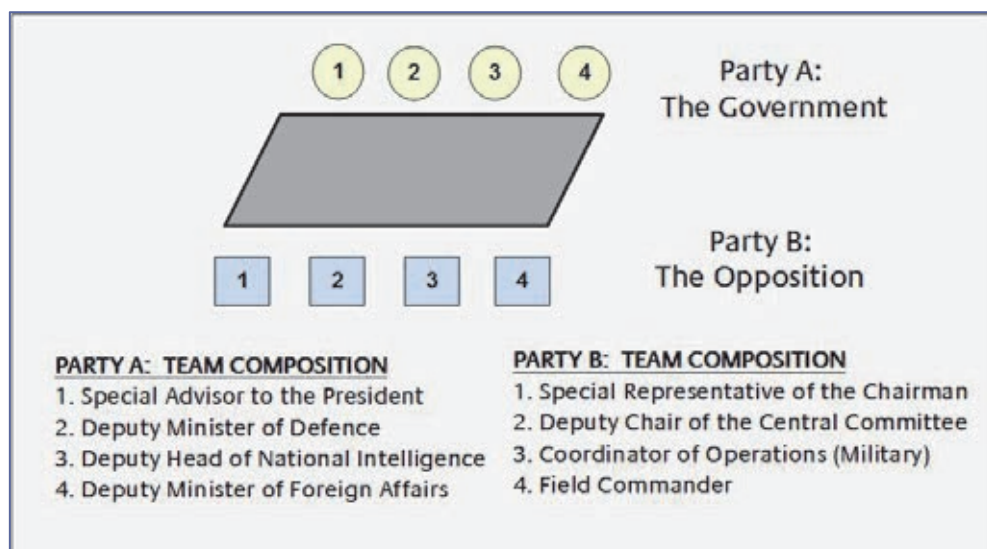
Designing the Negotiation/Mediation Table¹⁷

CHRISTOPHER MOORE AND SUSAN WILDAU

Effective negotiations to resolve serious conflicts require thoughtful consideration of the “architecture” of the negotiation table, and the variety of structures and forums that may be helpful for the parties and intermediary to achieve their objectives. Parties, facilitators or mediators (the two latter roles will also be referred to as intermediaries or third parties) need to be aware of the range of potential forums so they can make wise decisions on the design of the negotiation table and decide whether, when, what and how third-party assistance may best be used.

To examine potential forums, their purposes and potential participants, we will use a hypothetical negotiation between two parties (Figure 9.1). At the “negotiating table” is Party A: the government, and Party B: an opposition group. Each is represented by a team—a group of people from the same entity, or a coalition of individuals or groups, with common interests that work together to try and achieve their goals.

Figure 9.1. A Two-Party Negotiation



¹⁷Original conceptualization of this table process was developed by W.F. Lincoln, National Center Associates. It was later elaborated by CDR Associates.

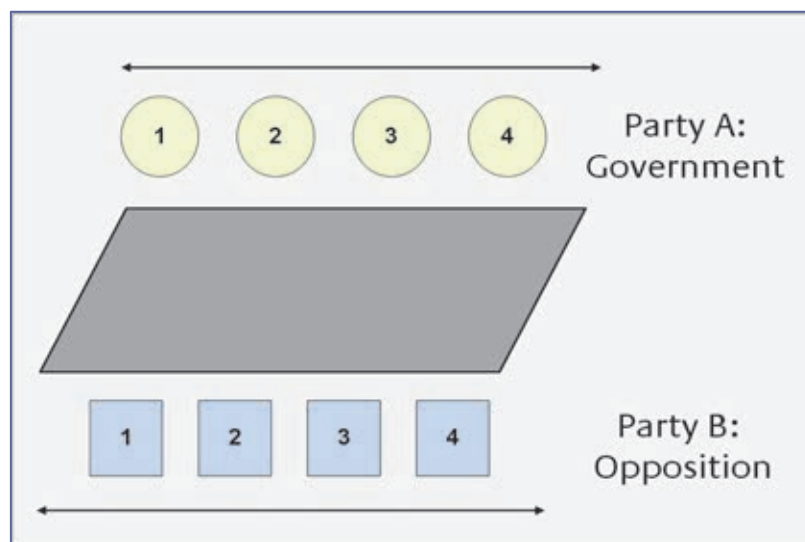
It is highly desirable for negotiation teams sitting across the table from each other to have members of similar rank and status, with comparable decision-making authority. Ideally, they should also be somewhat equal in number.

We will now examine several forums and formats for talks, their purposes, possible participants and the assistance that may be provided by an intermediary to promote their effectiveness.

In-team Negotiations

In-team negotiation involves internal deliberations among members of each team (Figure 9.2). Teams may be organized hierarchically where authority to make decisions is vested in some members more than others, or horizontally with members being relatively equal in power and influence.

Figure 9.2. In-team Negotiations



Differences in members' authorities, mandates, seniority, information and resources, as well as their personalities, conflict styles and negotiation skills frequently shape the outcome of in-team negotiations as members engage to reach internal agreements. Common topics discussed include the issues they want to talk about with another party or parties, their interests and goals, and the strategies they will use to secure desired outcomes.

When team members have roughly equal authority, a consensus must be reached among them if team cohesion is to be maintained and common interests and goals advanced. If team members do not have equal authority, the person with the most

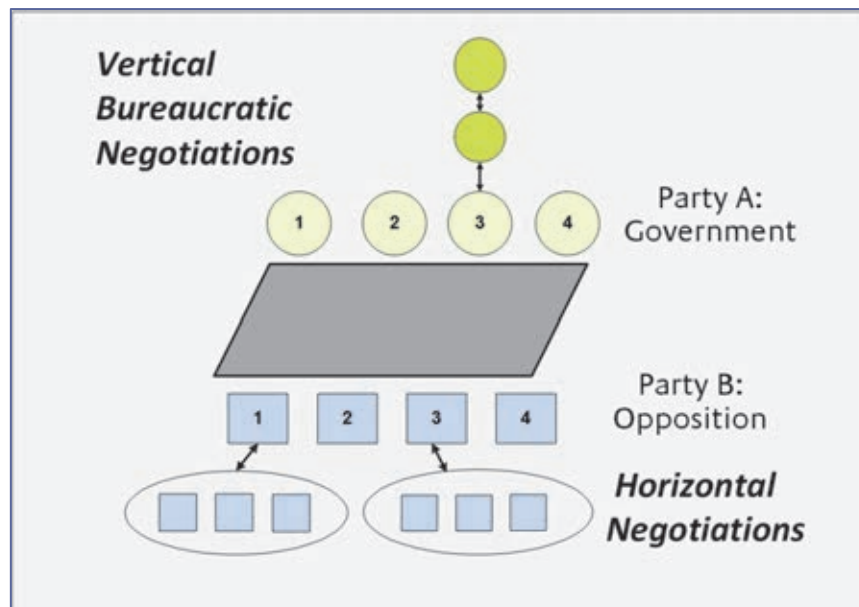
authority may be able to command adherence to a team view or position, even if other team members disagree.

If in-team negotiations—before, during or towards the end of joint talks—are proceeding well, the help of an intermediary may not be needed. However, if there are problems with deliberations, third-party assistance may be useful to enable one or both teams to better understand their issues and interests and those of their counterparts, create a negotiation agenda, develop proposals or options for settlement, break deadlocks and reach consensus. Intermediaries commonly conduct these talks by shuttling between the parties, in proximity or shuttle talks, to help participants build internal consensus and convey information that moves them towards agreement.

Vertical and Horizontal Negotiations

Vertical or horizontal forums for negotiation occur when teams are accountable to parties not directly involved in talks at the table, such as government leaders, parliaments, the opposition, parties' field commanders, or members of the broader public (Figure 9.3). For a final settlement to be reached, approved, and sustained, teams will need to consult with their constituents and, in some cases, negotiate with them to gain their approval.

Figure 9.3. Vertical or Horizontal Negotiations



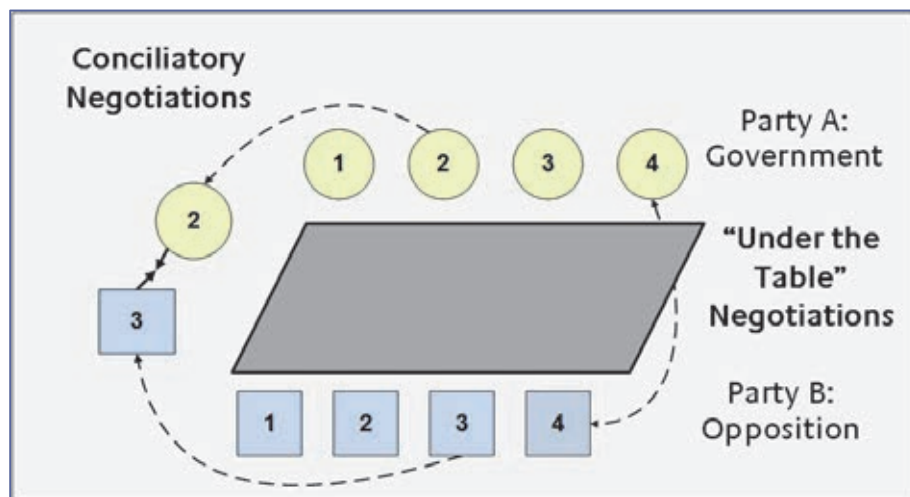
On occasion, intermediary assistance may be needed to help negotiators effectively talk with superiors or constituents, to identify key interests to be satisfied, explore settlement options or “sell an agreement.” Often third parties are in a stronger position

to help reluctant officials or constituents assess and accept settlement options because they often have information unavailable to others about constraints or BATNAs, and can help them conduct cost-benefit analyses.

Vested Interest and Conciliatory Negotiations

Vested interest and conciliatory negotiations involve one or more individuals from a team talking privately with members of another (Figure 9.4). However, the goals of these types of negotiations are very different.

Figure 9.4. Vested Interest and Conciliatory Negotiations



Vested interest negotiations, commonly termed “under the table” talks, involve one or more negotiators covertly talking with their counterparts from the other team, without the knowledge, authorization, or approval of either team. The goal of these talks is to explore settlement possibilities that will directly and personally benefit the individuals involved or enrich a subgroup that they represent, rather than their team or organization. Intermediaries commonly try to prevent these kinds of negotiations from occurring. If they happen, third parties try to stop the behaviour by persuading and informing participants about potential costs of not representing their group’s interests if they are discovered.

Conciliatory negotiations involve one or more negotiators from each team in informal talks together, but with permission from their teams. The goal of discussions is to find areas of agreement that can be brought back to their teams for consideration. Individuals involved in conciliatory talks are generally respected individuals and moderates who are able to communicate effectively within their team and with

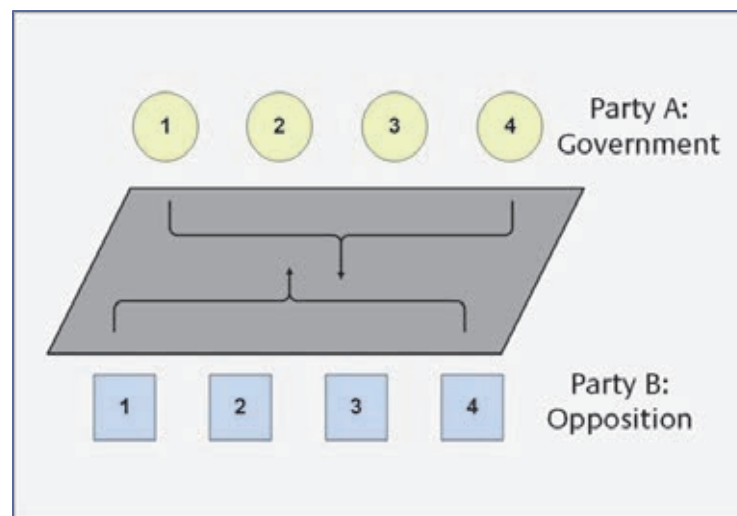
counterparts, and who can see some merit in the “other side’s” views. They are often “quasi-mediators” within their teams and also help support intermediaries.

Third parties often encourage and choreograph conciliatory negotiations between appropriate individuals or groups during informal breaks, or create opportunities for private discussions between negotiation sessions. Often such forums remove some of the pressure of formal bilateral talks on parties, and are highly conducive for issue and interest exploration and option generation.

Bilateral Negotiations

Bilateral negotiations are the most formal forum for joint discussions and involve direct talks between negotiating teams (Figure 9.5). They are common in direct-dealing cultures where negotiators are accustomed to talking directly to each other, where adequate trust has been developed, or where parties believe enough bargaining room exists for direct talks to be productive.

Figure 9.5. Bilateral Negotiations



Bilateral negotiations are commonly conducted in private with all team members present. Participation by team members may be restricted or quite open. Exchanges may be led by spokespersons for each team, facilitative spokespersons who manage communications of their team members across the table or multiple participants sharing their views.

Generally, bilateral negotiations are useful to review the history of a conflict, define sources of disagreement or grievance, explain the merits of each party’s case for change, clarify interests to be met, and approve settlements. This forum is not as effective as others for developing an agenda, refining options, making links or trades of

interests valued differently, or developing settlement packages, especially if there are many people on each team. When parties are not too polarized, these tasks are best accomplished by smaller meetings of teams or by mixed interest groups with representatives of each team.

In highly polarized disputes, parties may find it difficult to engage productively in bilateral negotiations. They commonly need the assistance of an intermediary to suggest and provide a productive process, help establish meeting guidelines, facilitate direct talks or shuttle and carry messages between them.



Dr. Christopher Moore leads a discussion on how to design the mediation table

Sidebar Negotiations

Sidebar negotiations provide space for private conversations between the spokespersons of teams or leaders of organizations involved in negotiations. Classic examples are the “walks in the woods” or “fireside chats” conducted by world leaders. The confidential nature of talks often enables leaders to build rapport and trust between them, develop or explore ideas without the pressure of observers, refine potential options and make trades that can be brought back to full teams, other senior leaders or constituents for approval and ratification.

Sidebar negotiations may be initiated by spokespersons or leaders of one or more parties, or coordinated by an intermediary. Whether the third party is present or active in the talks depends on the will of the parties or the assessment of the intermediary that his or her assistance is needed for productive dialogue to occur.

Mixed-Interest Working Group Negotiations

As noted above, bilateral talks are not necessarily the best forum for developing or refining options for agreements. Often smaller working groups with representatives from each team, and occasionally external participants, are superior forums to accomplish these goals. Smaller groups allow for more open and free exchange, targeted insights and input from participants, and a space that is conducive to refining ideas for consideration by the plenary group.



A Fellow describes his work in the field

Working groups can be initiated by the parties themselves, or encouraged and convened by an intermediary. The latter may also facilitate one or more groups and provide an effective process for these deliberations.

External Parties and Negotiations

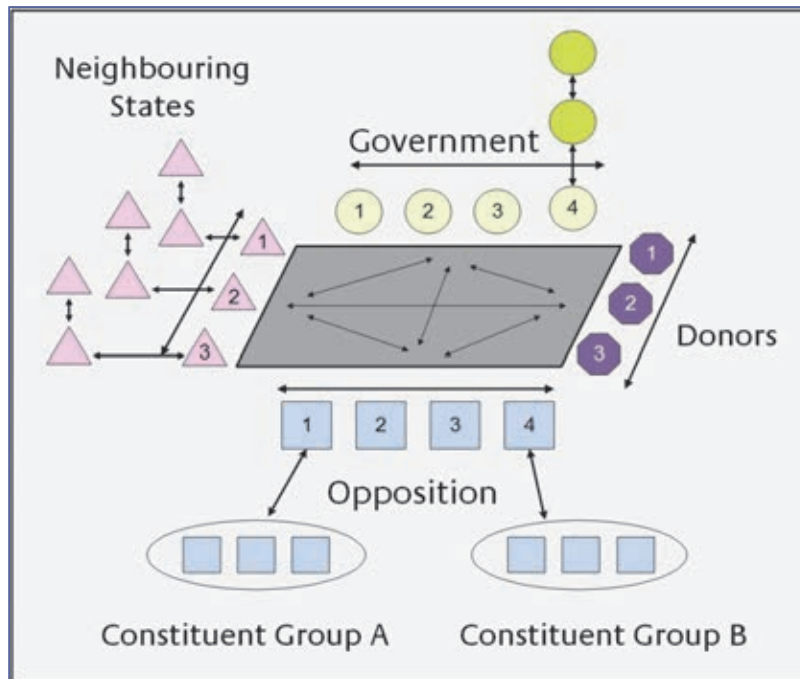
Participants in bi-lateral negotiations may also need to talk and reach agreements with other parties who are concerned about issues being discussed but not directly involved in deliberations. These may include: government officials of different ministries, neighbouring countries, international donors or lenders, non-governmental humanitarian or advocacy organizations and the media. Each may have goals independent of the involved parties and often try to influence the outcome of deliberations.

Intermediaries frequently help negotiators manage communications with external parties. They may do so by choreographing communications between key parties and outside groups or by serving directly as a spokesperson for the talks.

Multilateral Negotiations

The types of negotiations between two parties examined above illustrate the complexity of talks and the diverse ways they may be conducted. However, many international or intrastate conflicts involve more than two parties, which results in an exponential increase in the number and kinds of potential interactions between parties (Figure 9.6).

Figure 9.6. Multilateral Negotiations



Generally, the more parties that are involved in negotiations, the more they will likely require an intermediary to assist them to design, manage and conduct an effective process for deliberations and decision making.



Fellows use photos as an aide memoire

Beginning the Mediation Process: Agenda Setting and Exploring Interests

SUSAN WILDAU AND CHRISTOPHER MOORE

The Power of a Methodology

To be successful, mediators, facilitators and good officers must have a methodology in mind aimed at achieving a sustainable peace settlement. By methodology, we mean a road map or conceptual framework that helps organize the mediator's thinking, and identifies strategic choices available to guide the parties successfully through problem solving. A road map provides an alternative to trial and error and goes beyond instincts, enabling the mediator to use whatever the parties present more strategically, to promote movement towards agreement.

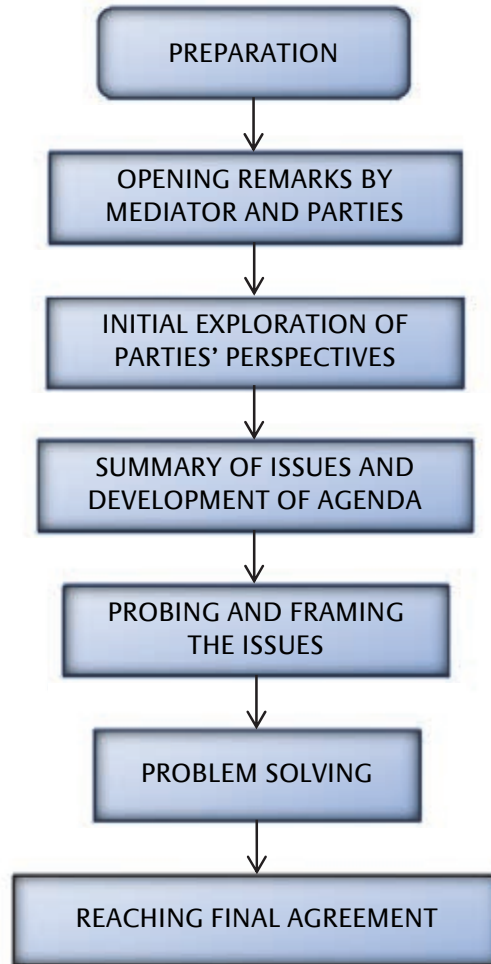


Susan Wildau presents mediation theory

Interest-based mediation follows a somewhat predictable set of stages, whether facilitating deliberations between states, such as North and South Sudan, or resolving intrastate conflicts, as in the case of the Democratic Republic of Congo or Syria. The Mediation Road Map, described in Figure 10.1, presents seven basic stages of mediation. How each stage is conducted varies considerably from case to case. The process is iterative and some stages may take years to accomplish, particularly in

difficult conflicts that involve adversaries with protracted negative histories, strong emotions and high stakes.

Figure 10.1. The Mediation Road Map



Laying the Groundwork for Productive Talks

In general, the mediator initiates the mediation process through a series of shuttle or proximity talks with each party. The purpose of these separate meetings is to carefully lay the groundwork and develop the overall architecture for peace negotiations; gain the parties' commitment to participate in good faith; and develop a framework or operating agreement that describes how the process will be structured and what procedural guidelines will guide the negotiation. In these consultations, the mediator typically explores the topics the parties wish to discuss, and the interests they hope to have addressed through the negotiations. This information will be used to provide both sides with a general understanding of the focus of the talks and to develop a suitable agenda.

Agenda Setting

Agenda setting is an iterative process that results in an agreement regarding the substantive and procedural issues that will be negotiated during the talks. In constructing the agenda, there is no hard-wired recipe or formula. Nevertheless, it is important to consider three elements:

1) the topics to be discussed; 2) how to frame them; and 3) the general sequence of items for productive deliberations. These factors can become a significant source of controversy if not managed with sensitivity by the mediator. Parties may want to exclude an issue that is important to another party; the way



the issue is framed may be unacceptable to one side; or the mediator may recognize an issue that should be included, such as human rights, that neither party has identified and must find a way to raise it without risk to his or her credibility.

Each dilemma requires a deft and steady hand from the mediator. For example, a mediator may help the parties shift from “either-or” to “both-and” thinking to enlarge the agenda scope. When framing is the source of disagreement, the mediator should check to ensure the issue is described in neutral terms so that the description does not imply a solution in favour of one party or suggest mediator bias or judgement. The framing must be acceptable to both sides, incorporate interests rather than positions, and define the problem in a way that opens the door to more collaborative and mutually-satisfying solutions.

Ordering the agenda comes with its own set of prickly problems that can fuel argument between negotiators. The parties want to discuss issues in the order that will be most advantageous for their side; a party may want to defer discussion of a topic



One of the mediation teams prepares for mediation

until later because it fears it may give up power, leverage and the ability to make trade-offs on subsequent issues if it reaches final agreement on specific items too early; one party may feel it is to its advantage to link issues while the other perceives more benefit if issues are treated separately; and parties may agree

on the sequence but propose starting with the most difficult item first before any confidence or trust has been built, leading to the possibility of an early deadlock.

Mediators have several choices for helping the parties sequence an agenda that promotes productive discussion:

- 1) Propose a tentative sequence based on understanding the parties' needs and interests, highlighting the merits and rationale underpinning the proposal, and then facilitate a discussion to reach an agreement on the approach.
- 2) Start with an easier issue that is meaningful to the parties where progress is likely to create forward momentum. Early success helps gain traction, build confidence and promote trust between the parties.
- 3) Consider where to place issues that will build support for talks among the broader society to help prevent spoilers from scuttling progress.
- 4) Appeal to a principle appropriate for ordering an agenda—for example, some agreements may be contingent upon previous ones and those topics should be placed later in the agenda.
- 5) Help the parties understand that each issue does not have to be decided separately. Although certain issues may be negotiated ahead of other ones, parties can agree that “nothing is settled until everything is settled.” Parties can therefore reach agreements on multiple issues with the understanding that no final commitments are expected until a comprehensive package proposal is in place that contains the full set of agreements.

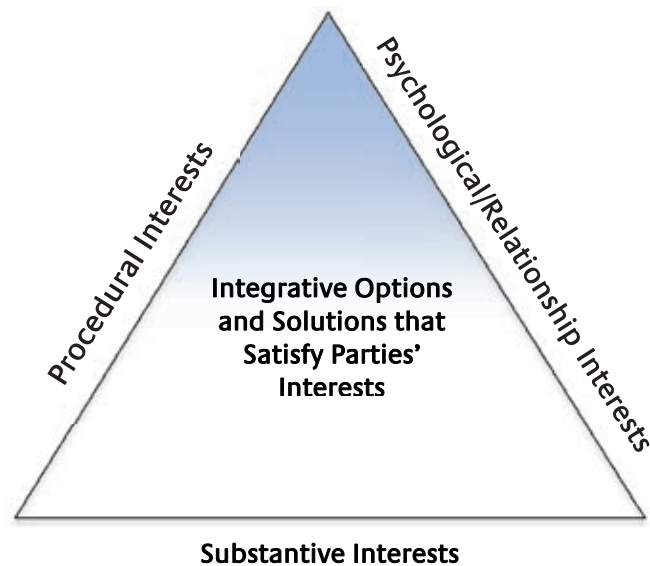


Moore observes a mediation team as it plans its strategy

Exploring Interests

At the heart of the mediation process is the concept of interests as mentioned in earlier chapters. There are three types of interests parties in conflict commonly want satisfied—*substantive, procedural and psychological/relationship*. These are illustrated in the Triangle of Satisfaction shown in Figure 10.2.

Figure 10.2. The Triangle of Satisfaction



Substantive interests are tangible outcomes parties expect from engaging in negotiations. Examples include enhanced personal security, cultural protections, peaceful reintegration into the community, greater economic opportunity, or more inclusive political structures.

Procedural interests refer to parties' preferences related to process matters—how talks are conducted, how an agreement will be implemented, how a dispute is resolved. For example, parties may desire processes that minimize violence and harm, guarantee full participation in deliberations and result in implementable and timely settlements.

Psychological/Relationship interests refer to how parties want to be treated and the nature of the relationship they envision with other parties during talks and in the future. Psychological/Relationship interests include the need for respect, dignity and self-esteem; the desire to be seen as competent and honest; and the hope of having past wrongs or harm acknowledged.

The mediator's job is to transform the negotiation process from one focused on arguing over positions to a problem-solving process aimed at crafting innovative

solutions that satisfy parties' underlying needs. Central to this shift is the ability of the mediator to gain an in-depth understanding of the parties' core concerns, fears, goals, hopes and aspirations which must be satisfied to resolve the conflict at a deeper level and achieve a sustainable settlement. A focus on interests also helps negotiators understand the root causes of the conflict and promotes resolution of the real (versus the presenting) problems at the appropriate level of depth.

The mediator explores the parties' interests during shuttle and proximity talks and continues to uncover them in plenary session and throughout the many hours he or she may spend with the parties. Typically the mediator facilitates a general exchange of perspectives in the early stages of the process. Parties' views often emerge as a tangle of positions, issues and interests. The mediator extracts the needs and interests from the parties' conversation and helps steer the discussion away from positions, which may be difficult to reconcile. In doing so, the mediator applies two fundamental interventions—1) powerful listening, and 2) inquiry—posing a series of basic but strategic questions: “Why is this issue important to you? What does that solution accomplish for you? What are you trying to achieve by advancing that particular position? What are you trying to protect?”

Asking the right questions does not always succeed, as parties may be hesitant to reveal their needs and concerns more publicly. Great patience and more indirect approaches are sometimes required to create the spaces that allow hidden interests to emerge gradually.

Focusing on parties' interests, concerns and fears can also help the mediator gain the trust of the parties. It demonstrates a genuine intention on the part of the mediator to understand, respect and recognize both sides' concerns and communicates a deep sensitivity to the parties' problems. Understanding the parties rather than judging them is fundamental to building trust not only with the mediator but also between the parties.

The Fellowship Programme offers participants the opportunity to experience the role of the mediator and the parties through participation in a comprehensive mediation simulation of a significant international conflict. The purpose of the simulation is to apply the methodologies of mediation and interest-based negotiation, drawing out lessons that can be applied to participants' work at the UN, in their regional organizations or in their ministries. Chapter 11 considers key concepts from the later stages of the mediation process, including probing and framing, and generating options.

Transforming Issues and Interests into Options and Agreements

CHRISTOPHER MOORE AND SUSAN WILDAU

Once talks have started, parties have shared initial perspectives on issues and interests, and a mutually acceptable agenda has been developed, the intermediary and parties will move to the next stages of mediation—exploring each topic on the agenda in more detail with the aim of framing issues and interests in ways that lead to satisfactory options and agreement (see the final steps in Figure 10.1 in the previous chapter).



Peck observes mediators during proximity talks

Probing and Framing Issues

The stage of thoroughly exploring each topic involves soliciting more information about participants' *issues* and *probing for the interests* that underlie them. *Issues* are topics that parties want to discuss and have resolved. The importance of an issue is determined by the underlying interests or needs each side wants addressed in a satisfactory solution.

Probing and framing¹⁸ can be accomplished by using a variety of communication skills and strategies. Intermediaries or parties can: reflect back what they have heard from another party; ask open-ended questions that cannot be answered by “yes” or “no”;

¹⁸ See Chapter 6 for a thorough discussion of “framing” and “reframing” (which is also discussed in the following paragraph).

make summary statements that capture the meaning, intent and spirit of what a speaker has said; and describe or “frame” issues and interests in a way that enhances understanding and acceptance from all parties.

Often restating issues and interests in a more neutral way (“re-framing”), or describing a communication in different words to remove toxic language or blame, softens a demand or focuses parties on the interests to be addressed rather than on their positions. For example, in a hypothetical negotiation in which a central government and a regionally-based party are negotiating over autonomy arrangements, the government party might say, “We demand a strong central government that preserves the sovereignty of the state! We will not allow a structure that inhibits coordinated



Moore answers questions on his presentation

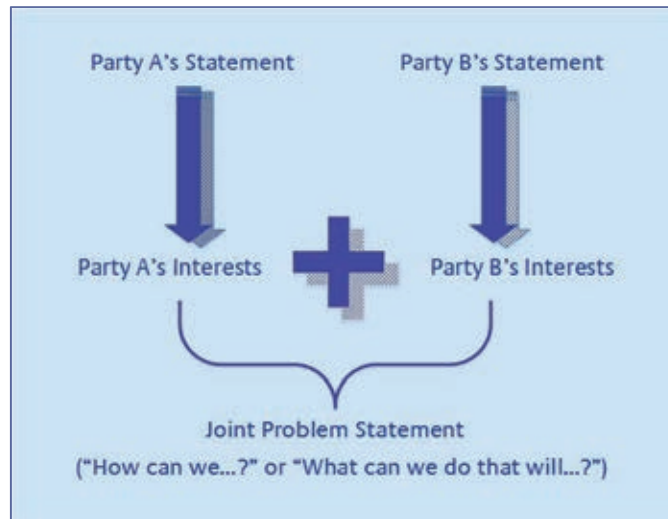
policies and promotes fragmentation of the country.” The reframe might be, “You are interested in a governing structure that safeguards the integrity of the country, assures that important national policies will be coordinated and effectively implemented at the provincial level, and that any devolution of powers will not adversely impact the country.” Meanwhile, the regionally-based party might say, “We demand decentralization of power. We are a country with regional and ethnic differences. People from different provinces and ethnic groups must have the authority to make decisions about issues that affect their lives.” The reframed statement might be, “You are interested in a governing structure where local people have significant control over important decisions that affect their lives, and that recognizes the diversity of citizens living in different regions.”

Framing Joint Problem Statements

Once all participants’ issues and interests have been explored, the intermediary may reframe the topics for discussion as a search for solutions that will meet all parties’ needs. This reframing is called a *joint problem statement* (Figure 11.1). For example, a joint problem statement that joins the interests of the parties in the example above might sound like this: “We are looking for a governance structure that protects and preserves the integrity of the country (addressing the central government's interests); and at the same time gives people in the provinces greater involvement in decisions that affect their lives and recognizes regional and ethnic differences that may require some customization of governing structures (addressing the interests of the regionally-based party).”

If this statement is correct and confirmed by the parties, they can proceed to look for options and potential solutions that meet as many of these joint interests as possible.

Figure 11.1. Framing Joint Problem Statements



In an ideal world, all parties would fully accept the intermediary's joint framing of problems to be addressed and seek solutions that will meet each other's interests. However, this is not always possible. For various reasons, parties may not accept each other's interests as being valid or legitimate. When this occurs, the intermediary may need to remind negotiators that for a satisfactory agreement to be developed, at least some of each party's interests must be addressed and satisfied, and that at this stage in mediation, all that is required is for them to seek and explore potential options that will move in that direction.

Generating Options for Agreements

Once a joint problem statement has been framed and minimally accepted, mediators assist parties to develop procedures to construct potential solutions that address their interests. This process can take several forms: 1) each party may advocate, and alternate, sequential *positions* and *counter-positions*; or, preferably, 2) all parties may engage in a joint effort to develop multiple *options* that address their individual and collective interests. The former approach is used in traditional power-based negotiation, and the latter is most



Wertheim gives instructions for the mediation exercise

commonly used in interest-based negotiations and mediation. This second approach helps parties avoid getting stuck in an unproductive proposal-counterproposal process, prevents premature evaluation and rejection of potential options that may be viable, and increases the number of possible solutions from which parties may choose.



Wildau offers advice on problems encountered during mediation

Mediators and parties may use a number of procedures to generate options. Some of the most common ones are presented in Table 11.1.

Table 11.1. Potential Procedures for Option Generation

- ***Identify general principles, a mutually acceptable negotiation framework or a range of objective standards and criteria*** that all parties can agree to, which will provide guidance for future option development on specific issues.
- ***Break a problem into smaller parts, or “fractionate” it***, and develop potential solutions to these sub-problems that can later be assembled into a more comprehensive agreement.
- ***Brainstorm potential options*** by listing ideas that parties have for potential solutions, and holding off evaluating them until multiple options have been identified and developed.
- ***Use “model agreements,”*** solutions developed and accords reached by other parties who have successfully resolved similar issues, which can be accepted totally or customized to meet the current situation.
- ***Identify issues that might be linked and traded*** so that the satisfaction of interests that parties value differently can be traded.
- ***Help parties identify or create spheres of influence*** where each party has major power, control, influence or decision-making authority.
- ***Create a “single-text negotiating document,”*** a written text prepared by the mediator that articulates potential agreements for parties’ consideration, and is circulated and gradually modified to better satisfy parties’ interests.
- ***Build a positive future vision*** by engaging parties in developing a future state when their differences have been resolved and they have achieved a positive relationship. Use the vision to work backwards and identify steps that could be taken to achieve the vision.

Evaluating Options

Once multiple options for agreements have been generated, parties need to evaluate them to determine if one or more might be satisfactory for an accord to be reached. Evaluation may be conducted privately by each party, with or without the involvement of the intermediary; or with parties together if a more cooperative spirit and process have emerged during talks.

Effective evaluation involves parties engaging in a dialogue to assess options and apply appropriate criteria. Common approaches for evaluating options include assessing: 1) how well options satisfy the three kinds of interests (i.e., substantive, procedural, and psychological) important for each participant; 2) how well options are aligned with principles, negotiation frameworks or objective standards or criteria parties generated earlier in talks; 3) if the options are congruent with international standards, covenants or common practices; 4) the feasibility, ease or difficulties likely to be encountered in implementing one or more option; 5) perceived or actual benefits, costs or risks of agreeing or not agreeing on an option or a package of agreements; and 6) each party's alternatives to negotiating and Best Alternative to a Negotiated Agreement (BATNA), which are alternative procedures and outcomes available to parties if they cannot reach an agreement.



A mediator attempts to generate options during the mediation exercise

During option evaluation, intermediaries commonly ask many questions to help parties determine what is most important to them, how well various options satisfy their interests and the benefits, costs or risks of agreeing (or not agreeing). When appropriate, the intermediary may help parties assess their BATNAs to decide whether to continue to engage in negotiations or pursue some other route to meet their interests.

Reaching Final Agreements

Once parties have some potentially viable options, they need to move forward and reach a settlement. There are several ways this can be accomplished, either on their own or with the assistance of the intermediary. Some of these include: 1) incremental convergence, in which the parties gradually refine options so that they increasingly satisfy each party's interests; 2) linking issues and trading specific items that each party values differently; 3) creating spheres of influence in which parties each have defined areas of major influence or decision-making authority based on their different values, goals or interests; 4) alternating the timing of satisfaction so that each party gets what it wants but at a different time; 5) reaching a compromise on specific issues in which gains and losses are shared in a mutually acceptable manner; or 6) developing a package agreement in which the combination of benefits or costs for all issues is mutually satisfactory.

During the final agreement stage of mediation, mediators commonly use a variety of procedures to help parties move towards an accord. First, they may state agreements, gain confirmation of them and write down those that have been reached. Second, they



A Fellow consults with Moore and Wildau

may “test” for potential agreements that may not yet have been recognized by parties, but which the mediator identifies. If the parties agree, these agreements are also recorded. Third, mediators may test for potential agreements by proposing possible options and asking for a response, such as “If [party A] did X for you, would you [party B] be willing to do Y for them?”

Finally, intermediaries may present or help parties develop a package agreement that at least minimally addresses and resolves all parties' concerns and satisfies their interests.

The final activities of this stage of mediation involve the intermediary, the parties or a sub-committee drafting an agreement; gaining its approval by parties' superiors or constituents; performing ratification procedures and associated rituals appropriate for the situation and cultural context; and developing an implementation and monitoring plan that promotes and encourages voluntary compliance.

Learning from Recent Peace Agreements

PETER WALLENSTEEN

Since the Cold War ended, there have been more peace agreements than in any period since 1945. Many of these accords curtailed violence successfully and transformed conflicts into more constructive relations between states, peoples and groups. Others failed and had no effect on societies at war. There is, consequently, a need to understand conflict resolution and peacemaking more clearly. Negotiations may always be useful but the outcome in the form of a peace agreement is a most important element in the transition from war to peace. Thus, we need to understand what the parties have to discuss, how they can come closer and, not the least, how agreements can become durable and retain a high quality so that they



Wallensteen presents the data on peace agreements

conclusively end a period of war. In a backward way, this also generates lessons for conflict prevention: what could have been done before the war, and thus, needs to be considered to prevent the recurrence of armed conflict.

This means that peace agreements are an integral part of conflict resolution. Without an accord among some or all of the conflicting parties, it is hard to talk about conflict resolution. However, an agreement, even if meticulously implemented, may not be sufficient to establish a durable peace. Peace, and particularly quality peace, requires more than this. However we may understand conflict resolution and conflict transformation, there must be an agreed way in which the parties end their use of violence against each other and begin to cooperate on the very issues that led to the war. As we saw in Chapter 2, the central element in conflict is the disagreement, or

what we technically would refer to as an incompatibility. The peace agreement is a necessary step to be able to deal with this basic factor. Thus, following Wallensteen's *Understanding Conflict Resolution* (2012, 3rd edition) conflict resolution begins with a situation where the conflicting parties enter into an agreement that solves or regulates their most central incompatibility and, thus, accept each other as parties and cease all violent action against each other.

This results in a conflict resolution typology that is presented in Table 12.1 where we also can place the more than 200 peace agreements that have been recorded since 1975. The data comes from the Uppsala Conflict Data Program at Uppsala University, Sweden.

Table 12.1. Peace Agreements 1975-2010

	<i>State vs State</i>	<i>State vs a Non-State Actor</i>
<i>Issue is about Government</i>	1	154
<i>Issue is about Territory</i>	18	40

The horizontal dimension of Table 12.1 shows that there are two types of conflict parties: governments and non-state actors. Thus we can have armed conflicts between two governments (what we normally refer to as interstate wars, or wars between states) and between governments and non-state actors (what we mostly describe as internal wars). Interstate conflicts are often regulated in international agreements. Indeed, the UN Charter prevents states from attacking each other and instead requires them to submit their dispute to the UN. There are also international procedures of arbitration, mediation and court procedures, notably the International Court of Justice. For the internal conflicts there are no similar international provisions. These conflicts may sometimes be internationalized, for instance, by the presence of foreign troops. The states may themselves bring the conflict to the UN or other international bodies. There is a distinct legal difference between these two categories.

However, we can also distinguish between two types of incompatibilities, which is the vertical dimension in Table 12.1. One is that the parties disagree about *who should rule*. These are the conflicts over government. It is seen as an incompatibility as two parties cannot at the same time be president, king or prime minister (or however the top position in a society is described). This may seem typical of internal wars, or what is

often called “civil wars,” for instance, stemming from a revolution. It is important to note that there can also be wars between states on this score, for instance, in the form of one country intervening in another to replace the government. A recent example is the US invasion of Iraq in 2003 to remove the regime of Saddam Hussein.



A comment on the UCDP data

Another incompatibility concerns *territorial issues*: only one state can rule a piece of territory at a particular moment in time. In the interstate situation this is, for instance, a border conflict; in a conflict between a government and a non-

state actor, this may follow from a demand by the non-state actor for separation from the existing state. There are many, very protracted conflicts on this score. Among the most well-known are Eritrea, which gained independence from Ethiopia in the early 1990s, and South Sudan that became a state in 2011, while the Tamil Tiger movement in Sri Lanka was defeated in 2009.

All these conflicts can also be solved. This is the good news of Table 12.1: it includes all the peace agreements in this period that solve or regulate such disagreements after an armed conflict. This large number of peace agreements is a most novel aspect. In particular, this has increasingly become the way to end conflicts since the end of the Cold War. Peace agreements have become more common since 1990 and are more common than victories, where one party defeats and eliminates the other (demonstrated by Joakim Kreutz in 2010).¹⁹ We can also see that there is a large number of conflicts that reach the stage of peace agreements, sometimes repeatedly as the first agreement may fail. Thus, 46 conflicts had a total of 139 agreements, i.e., around three per conflict. Also agreements and violence cease for at least five years for more than half of these agreements. As we know, some conflicts have been more difficult to end than others, and thus have been subjected to repeated attempts of negotiation. There is often a peace agreement process and a form of learning. The parties gradually understand what is acceptable and not acceptable to the opposite side.

In Table 12.1, we can also see that there are more agreements in conflicts about government. The total number of armed conflicts in the two categories is about the same. Thus, it is more difficult to sustain agreements over internal power relations.

¹⁹ Kreutz, J. (2010) How and when armed conflicts end: Introducing the UCDP Conflict Termination dataset. *Journal of Peace Research*, 47 (2), 243-250.

Constitutions are questioned, power sharing is challenged and elections may require more discussion. Still, there are often ways in which such disagreements can be settled. Not unexpectedly, the parties often agree to resort to democratic methods for deciding the power contest. Thus, elections become important. The most typical challenge may not be the first election after the war, but those that come later: will the winner in the first one accept defeat at a later point?



Wallensteen in informal discussion with Fellows

Table 12.1 shows that there are fewer agreements on territorial issues. At the same time, these agreements are more lasting. They regulate basic issues. For instance, agreeing on the independence of one region is likely to be a difficult decision for the central government. Once it has made that commitment, however, it is not likely to renege. Indonesia accepted the independence of

Timor-Leste in 1999 and has not changed its position. However, it may not have been willing to contemplate the same option for Aceh, and thus the peace agreement of 2005 included autonomy, not secession. Either way, both these agreements have now lasted for a considerable period of time. Similarly, Ethiopia accepted the independence of Eritrea in 1993; Sudan agreed to South Sudan's secession in 2011. These are irrevocable decisions. Some agreements on territorial issues have been partial and thus have turned into protracted negotiations with interruptions of violence. The case in point is the Palestinian issue, where an agreement on the two-state solution still has not been finalized.

Thus, we see that territorial conflicts also find their solutions. Autonomy (decentralization of authority) is one outcome; independence is another. Between states, territorial issues have often been referred to international courts, and the legal decisions are often implemented, and thus the conflict is solved with the resort to mechanisms beyond the parties. Many solutions, however, have been found through processes of facilitation, mediation and/or the use of the good offices of international institutions. The UN remains the organization with the most such assignments.

The information in Table 12.1 can also be used for other forms of analysis. We can note that there are experiences of peace agreements in all regions of the world, but some have more than others: in Africa, negotiations for settlements by international

organizations (e.g., the UN, AU, ECOWAS) have been common, while in East Asia, there has been a preference for bilateral or informal settlements with less resort to international bodies. Apart from the Palestinian issue, there have been relatively fewer conflicts that have been subject to accords in the Middle East. Peacemaking is a global pursuit, but the context and the experiences vary.

The peace agreements that exist constitute a reservoir of possible solutions and the implementation of comprehensive peace agreements is now the object of systematic study, notably the Peace Accords Matrix (PAM) project at the Kroc Institute, University of Notre Dame. The practical experience, as well as research inputs, are likely to generate the insights the world needs in order to reduce the amount of armed conflict and help to redirect energy into peacebuilding, rather than the pursuit of conflict.



Coffee breaks on the terrace are another opportunity for interaction with resource persons

Challenges for the United Nations in Peacemaking

FRANCESC VENDRELL

While every conflict is different, they have some characteristics in common. The following are suggestions, based on my own experience, for those entrusted with the Secretary-General's good offices in the settlement of an international or an internal conflict.

Eliciting Consent

It is rare for the parties to solicit unprompted the Secretary-General's involvement and, if or when they do, the conflict may have become intractable. Governments, in



Ambassador Francesc Vendrell shares his extensive experience in mediation

particular, fear that involving the UN in an internal conflict will lead to its internationalization. Secretariat officials should find ways of eliciting consent, including by approaching sympathetic third governments; familiarization with the parties, perhaps through regular visits to the country or region in question; or pointing out, when the opportunity arises, that the availability of the Secretary-General's good offices does not necessarily require the involvement of the UN intergovernmental organs. This is how the Secretariat proceeded in Nicaragua, El Salvador, Guatemala and Haiti (in the years between 1987 and 1992), Myanmar (1993), Cambodia (1997) and in PNG's Bougainville province (1996).

Mandate and Terminology

The Secretary-General has an inherent mandate of good offices that has developed through practice over the past 60 years based on Article 33 and a broad interpretation of Article 99 of the UN Charter, irrespective of any specific mandate from the Security Council or the General Assembly. Their involvement will only be required if and when a

verification mission is established. While the term “mediation” is now frequent, it is best to use less intrusive-sounding terminology such as “good offices,” “facilitation” or “assistance.”

Ripeness

It is obvious that the parties will be more inclined to seek a political settlement when both realize that they have reached a “mutually hurting stalemate.” However, there is a risk in waiting for this eventuality to occur before becoming involved as the UN may end up missing the boat. The UN succeeded in Timor-Leste because it had long been mediating the dispute and was there when the window of opportunity opened in 1998.



Vendrell's presentations always generate interesting discussions

Advice for Successful Peacemaking

Strong support from Headquarters is essential, since the Secretary-General's Envoy needs to be taken seriously by the parties and can expect to be criticized by either of them at some point in the negotiations. Headquarters should avoid the twin dangers of micro-managing or giving full “carte blanche” to the Envoy. Proper briefing of the Envoy at Headquarters as well as with his/her predecessor, where there is one, is essential.

It is preferable to choose as Envoys persons who will not regard the appointment as a means to subsequently advance their careers, as this may negatively impact the

manner in which they discharge their mandate. While it is not necessary for an Envoy to share the same religion, ethnicity or culture as the parties, he/she should have a solid understanding of, and respect for, the history and culture of the country(ies) in question. This, in turn, will assist in gaining their respect and trust. More difficult, but equally important, the Envoy should avoid developing partisanship with the party he or she feels closer to in terms of language, culture or personality.

Envoys should have clear objectives in mind and a strategy to achieve them and be conscious that an eventual settlement should be in conformity with the principles and objectives of the Charter and the Universal Declaration of Human Rights. He/she should also bear in mind the Secretary-General's instruction to his Envoys to abstain from involvement in any agreement reached between the parties providing amnesty for genocide, war crimes or crimes against humanity. Often no solution is preferable and more honourable than an unethical one. Justice and human rights are complementary to stability, not contradictory aspirations. Envoys should resist pressure to achieve a "quick fix" and realize that for a settlement to be durable, it must, whenever possible, address the root causes of the conflict.

Many conflicts are asymmetrical and the mediator may wish to even the balance between the parties to facilitate an equitable settlement. This may include bringing in third governments, civil society and/or international or national NGOs. Impartiality and objectivity, rather than neutrality, are requirements in a mediator.

Since most agreements require verification, this should be borne in mind and discussed with the parties at an appropriate stage. If a military force is envisaged, the Department of Peacekeeping Operations should be alerted and involved when a cease-



A Fellow relates Norway's approach to mediation

fire or a termination of hostilities is being discussed.

"Friends" are often useful during mediation. However, they should be selected by the Secretary-General and act in coordination with, or at the request of the mediator, as opposed to being self-appointed "Friends of the Process," acting on their own initiative and often at cross purposes from each other. The best "Friends" are those

governments which share similar objectives and views as the mediator, thus enabling him/her to freely brainstorm with them, but whose national interest is not strongly

involved in a particular outcome of the negotiations. They should have a degree of influence with one or both parties, be willing and able to play a role in providing incentives or disincentives during the negotiations, and be open to playing an active role in the verification and peacebuilding phases of the peace process.



A Fellow seeks advice on a dialogue process that he is facilitating

Rare is the conflict, domestic or international, that does not involve external actors with their own interests,²⁰ which will often be third governments or occasionally irregular groups. While they are unsuitable as “Friends,” it is essential for the facilitator to engage them, take their interests into account and either seek to mould them in a way that is consistent with the aims of the process or find ways of neutralizing them.

The international financial institutions should be brought in at an early stage, since they can provide carrots and sticks to the mediator and should play an important role once the final agreement is reached.

It is highly desirable that mediation in a conflict be entrusted to one individual representing a single organization or appointed jointly by two or more of them. A variety of mediators, acting independently of each other, is likely to lead to confusion and to the parties playing favourites among them.

Patience is a requirement in mediation. There may be long periods of paralysis in the process, but the facilitator should be alert to small changes in circumstances and take quick advantage of windows of opportunity, which often do not remain open for long.

Methodology

While there will be times when it will be advisable for the mediator to convene face-to-face meetings between the parties, particularly when they are both close to agreement, indirect talks with the mediator shuttling between the parties are likely to be more fruitful. In direct meetings, the parties tend to stand by and repeat *ad nauseam* their known positions and grievances. Any hint of flexibility by one side is likely to be seen as either a sign of weakness or ignored or dismissed out of hand by the other, while the facilitator will find it hard to float ideas which might prove welcome by

²⁰ See the discussion of “secondary actors” in Chapter 5.

one side but unacceptable to the other. In pendular talks,²¹ it is easier for each party, as well as for the facilitator, once a degree of trust between them has been established, to brainstorm candidly together, discuss possible compromises without entering into formal commitments and for the facilitator to transmit them to the other side as his or her ideas. The mediator or his/her colleagues should attempt to arrange informal chats with members of each delegation.



Vendrell demonstrates how he mediates using teams from the mediation exercise

The facilitator should discourage the parties from exchanging their positions or proposals in writing, since this will make it more difficult to later move away from them, and suggest, instead, that any proposals be handed to him or her. As positions start converging, he/she may draft a first “non-paper” for discussion with each side and modify it according to the views conveyed by them. Once agreement on a non-paper is reached, the time has probably come to hold a direct meeting between the parties to formalize it.

Confidentiality is essential while talks are in progress and the mediator should ask the parties to commit to it. The frequent leakage of information to the media will likely jeopardize progress in the talks and put in doubt the political will and good faith of the negotiators. The parties’ need to keep their followers in the picture should not extend to divulging details of the negotiations, the broad outlines of which may also be shared with other constituents, such as civil society, by the mediator.

Mediators should appoint a small team of advisers who are on the same wave-length, with whom they can confidentially share their thinking and who should feel free to

²¹ Also called shuttle or proximity talks and discussed in Chapter 7.

disagree and offer alternative advice. Facilitators who believe they know all the answers are unlikely to succeed.

Finally, the facilitator should not be afraid to float bold ideas with the parties. One may find, to one's surprise, that they are accepted!



Meals also provide an opportunity for the exchange of ideas and experience

Lessons for Mediation from UN Envoys

CONNIE PECK

The lessons below are based on interviews with Special Representatives of the Secretary-General (SRSGs) by the author and summarized in *A Manual for UN Mediators: Advice from UN Representatives and Envoys* (2010), which is given to Fellowship Programme participants. A UNITAR DVD entitled “Lessons in Peacemaking” is also viewed, showing SRSGs discussing lessons from their UN peacemaking experience.

Helping to Ripen a Situation

The term “ripeness” is sometimes used to refer to parties’ calculations of the cost-benefits of entering mediation versus continuing the conflict. UN involvement can help to “ripen” a situation for mediation through introducing new ideas, skills, resources and creativity. Confidence-building measures (CBMs) or unilateral or bilateral positive gestures can be used to improve relationships between parties. In one situation, where the parties were unwilling to consider CBMs, the mediator asked that certain gestures be made *to the Secretary-General*, which improved the atmosphere enough to allow negotiations to begin. The UN has also built confidence by deploying human rights monitors during peace talks (e.g., in Guatemala, El Salvador and Nepal).



Peck interviews SRSG Tom Koenigs in the UN television studio

Deciding on the Most Appropriate Mediator

To be successful, mediation must be guided by a single lead actor. Multiple actors competing for a mediation role create forum shopping, as parties may play them off against each other. Careful consideration is required as to who has the comparative advantage for the lead role and, once selected, other international actors need to support the process in a coherent, well-coordinated manner.

Selecting the right person is also essential. Mediation skill, experience, knowledge, and extensive political skill and judgement are important, as well as relevant language and culturally-suitable personal skills. Mediators should be perceived as trustworthy, impartial (while adhering to the principles of the Charter) and authoritative. Good listening and problem-solving skills are indispensable, as is the capacity to understand parties' motivations/concerns. The ability to communicate effectively and give honest feedback is vital, as are patience, persistence, creativity and willingness to take the initiative. Mediators also require support from a highly skilled professional team that possesses similar skills. Access to specialized expertise in human rights, gender, child protection, refugees and IDPs, security arrangements, constitution-making, elections, power-sharing, rule of law, transitional justice and wealth-sharing also ensures that these issues are properly reflected in the agreement.



Peck's manual shares SRSGs' experience with Fellows

Choosing Whom to Include in the Process

Deciding whom to include in a mediation process and how to include them is fundamental. Most mediators urge that all stakeholders be included and warn that those omitted can become motivated to act as spoilers. Dealing directly with leaders who have committed human rights abuses creates friction between the human rights community and those mediating a peace settlement. But most peacemakers argue that unless a peace process involves all major parties, it cannot be successful, and that an inclusive process is the only way to end human rights abuses and institute a system of greater justice.

Since too many parties at the table can present difficulties, some processes have been structured to include concentric circles of interested parties with the mediator and warring parties in the inner circle, surrounded by civil society groups in the outer circle, who can bring pressure to bear on those at the table to consider the interests of the wider society. "Nothing about us without us" has become a slogan for ensuring that peace processes incorporate all stakeholders. Chapters 8 and 9 discuss this in more detail.

Building a Good Working Relationship with the Parties

One of the first undertakings for mediators is to develop a relationship with the leadership of the major parties, as well as those who influence the decision-making



Vendrell meets with Afghan leaders

there are already factions, mediators often meet with the different groups to agree on a unified set of issues and interests before proceeding with the larger mediation process.

process. UN mediators emphasize the importance of meeting directly with leaders on a regular basis, sometimes without advisers. It is also important to ensure that rebel movements remain unified and do not break into factions, since resolving conflicts becomes more difficult as the number of parties increase. In cases where

Listening to Understand Parties' Interests

An essential element of relationship building is listening to the parties to understand how they see the situation, what they believe they have been fighting for (or against) and their aspirations/concerns. The ability to understand parties' motivations requires trying to see the situation from the parties' perspectives—*as they themselves see it*. The very act of empathetic listening engenders trust in the mediator, since parties see that the mediator is taking their concerns seriously. To do this, mediators need to spend a great deal of time with the parties.

Being an Honest Broker and Providing Honest Feedback

Mediators should strive to deal with the parties in an honest and fair manner, never using tricks or reaching side-deals. They should tell the parties the situation as it truly is and should be able to address tough issues (such as atrocities or lack of progress) without destroying their relationship with the parties. Paradoxically, such an honest broker role helps establish a relationship of confidence and trust.

Mediators can also request transparency from the parties. One mediator told the leader of the guerrilla movement “Let’s establish a rule—we won’t play games. I’m ready to understand your point of view, but tell me your *real* point of view, because if you start telling me stories, we’ll waste a lot of time.”

Mediators may also assist in the exchange of honest feedback between parties, helping each to understand the interests of the other and improving the relationship by saying things like, “That’s interesting, the other side is equally worried about that.”

Maintaining Impartiality

UN mediators are expected to be impartial but not neutral, i.e., they should be constant advocates for the principles of the UN and should apply these principles to all parties. But mediators often face the accusation of bias as a ploy by the parties to manipulate the process. The best response to pressure is to explain that the mediator can be most useful to the parties by remaining objective.

Agreeing on a Venue

Finding a venue for peace talks can be contentious since the location itself can take on symbolic meaning. Governments often want talks within the country, whereas the opposition may fear for its security. If talks are held in another country, it is important to choose a venue that is not identified with either party. One mediator's method for identifying such a venue is to start by asking each side separately where it is *not* willing to go, then when the mediator proposes a location, the selection has been narrowed down with both sides.

Establishing a Framework for Mediation

Full agreement on procedural rules for the process through a “framework agreement” is an important step before commencing substantive negotiations. Framework agreements normally include a clear statement regarding who the negotiating team will be; who the mediator will be; his/her right to talk to any group deemed helpful; and details about how mediation will be conducted. It also normally commits parties not to abandon talks unilaterally and contains agreements on venue, agenda, timelines, and procedural rules for handling the media. Time and effort invested in this are well spent, as too many processes break down because of lack of agreement on procedural rules.

Identifying Issues and Ordering an Agenda

To determine what issues will be the subject of talks and how they will be sequenced, the mediator needs to bring the parties to agreement on an agenda which should address all important grievances on both sides. Readers are referred to Chapter 10 for a thorough discussion of both of these topics.

Finding the Best Balance Between Direct and Indirect Talks

When faced with structuring a mediation process, mediators have two basic choices—to bring parties face-to-face in direct talks or meet with them separately in indirect talks. Plenary sessions tend to be confrontational, as parties often rehash the past, restate and justify their positions and engage in tit-for-tat exchanges. It is also difficult

in a plenary session for the mediator to offer a proposal because if one side accepts it and the other does not, it looks as if the mediator is closer to that party.

Indirect talks, particularly in the early stages, can more effectively move parties away from entrenched positions to explore innovative options. Even in indirect talks, most mediators discourage the parties from exchanging proposals in writing, since the other side is likely to reject them. Instead, mediators suggest that if parties have ideas, they should give them to the mediator to present as his/her own. As one mediator notes: “The major advantage of proximity talks is that you replace something which is not a dialogue—that is, the two parties talking *at* each other—with something that is a real dialogue, with the mediator talking to each party separately.” As the parties discover that they can agree on substantive issues, it prepares the ground for future face-to-face negotiations.



Special Adviser Alvaro de Soto (right) holds informal talks with Northern Cypriot President Rauf Denktaş

In some cases, however, mediation processes have usefully employed formal plenary talks in conjunction with joint technical working groups that generate creative and detailed proposals for consideration by those sitting at the table.

Some mediators also suggest that changing the negotiating format can help to overcome stalemates; for example, alternating between direct face-to-face negotiations with advisers present, talks with just the leadership of the parties, and proximity talks with each party.

Unravelling the Linkage Between Issues

Because issues are usually linked in complex ways, many mediators adopt the rule of “nothing is agreed until everything is agreed,” meaning that, even when agreement has been reached on one issue, it is put on hold until a comprehensive agreement is concluded. In most cases, linkages only become clear as the various issues are worked through. Therefore, mediators frequently find it useful to make progress by working back and forth between issues, but progress can be slow until appropriate trade-offs are found.

Balancing Asymmetrical Power

Parties in conflict are seldom equal in power and this asymmetry can lead to an agreement being more favourable to the stronger party. Mediators caution that it is important to resist applying pressure to the weaker party which could result in an unjust solution. When the weaker party has a valid case, the mediator can find ways to even the power balance by building coalitions with civil society, international and national NGOs or Friends of the Secretary-General. Mediators advise that in all cases, parties should be given equal status in negotiations, with equal treatment.

Introducing New Ideas

Mediators sometimes find it useful to introduce new ideas that neither party has considered. In some cases, mediators have organized meetings of NGOs, academics, or diplomats to brainstorm new ideas. A number of peace agreements have been advanced through suggesting bold ideas or reframing proposals in ways that are more acceptable to the parties.

Introducing International Norms, Standards and Models

One important way to anchor agreements is for the mediator to introduce international norms and standards (or objective criteria as discussed previously in Chapters 4 and 11). In Guatemala, the mediator brought in International Labour Organization staff to explain that the Indigenous and Tribal Peoples Convention mandated respect for indigenous rights as part of international law. It may also be helpful to provide solutions from other situations, such as models of autonomy, federalism or power sharing. In one situation, the mediator introduced a paper outlining nine cases involving different types of autonomy.



SRSR Michael Steiner (right, middle) holds talks with Kosovar leaders

Finding Solutions That Satisfy Interests

Since parties are more likely to accept proposals that address their most important interests, the mediator's job is to help them articulate and understand their core interests and ensure that each party also understands the interests of the other side. This can be a lengthy process that is sometimes easier to do in indirect talks. But unless the mediator focuses the generation of options on addressing core interests, little progress will be made. Once on the table, these options can then be presented jointly, i.e., "How can we find a solution that resolves X and Y?" (as outlined in Chapter 11).

Using Friends of the Secretary-General

Member States of the UN can also support mediation processes as Friends of the Secretary-General. At the mediator's request, they can: host talks; encourage parties to be creative and flexible in finding innovative solutions that address core interests; reinforce progress; provide ideas, financial assistance and technical expertise; help to "level the playing field" when power is asymmetrical; show international support for agreements by being present at signing ceremonies; and provide resources for implementation. Mediators report that this process works best when the mediator selects Friends and the number of Friends is small and manageable. Friends need to be trusted by the parties and should possess good political instincts and creativity and support the mediator's efforts.

Eschewing Artificial Deadlines

Most mediators caution against setting deadlines. Unless there is an authentic deadline dictated by external circumstances, calls to settle by a given date put the mediator's credibility at risk, since such dates are seldom met, leaving the process in limbo.

Using Influence and Leverage Wisely

Leverage can be useful in mediation, but only if exercised in a way that advances the process rather than being counterproductive. The key to effective leverage is providing incentives that address the parties' aspirations and concerns. Involving parties as partners in a mutual exploration of incentives leads to a greater sense of ownership and increases the chances of success. In the UN context, the most effective leverage often lies in the mediator's relationship with the parties, his/her moral suasion, and intangible incentives, such as recognition, assistance or the conferral of legitimacy. Early engagement with the UN system and donor community is also a powerful source of leverage, enabling parties to see the benefits of working towards agreement. Pledging conferences, following the signing of peace accords, also offer tangible incentives. Evidence suggests that the blunt, simplistic use of externally-imposed leverage often causes resistance and backfires, especially when parties believe that

conceding to such pressure threatens important values, such as their sense of identity, honour or commitment to a goal, or creates loss of face with constituents.

Dealing with “Spoilers”

One of the greatest risks to mediation comes from parties who believe that peace could threaten their interests and who use violence to undermine the process. This is particularly likely when talks are making progress or when agreement is near, since internal divisions (between moderates and hardliners) are accentuated and lead to hard-line, break-away factions.

Careful assessment of spoilers’ motivations is required for the mediator to respond appropriately. As one SRSG explains, “When you see people obstructing the process, ask, ‘Why?’ Once you understand, you can ask, ‘Which of these things is under my control? What can I do to stop that?’ ” Various strategies have been devised for dealing with spoilers. In some cases, spoilers can be re-engaged in the process by addressing their concerns (e.g., responding to their security fears with guarantees and reassurances). Mediators recommend talking to hardliners and empathizing with them to understand their fears. One mediator notes that often they have good reasons for being hardliners as they have been subject to horrible atrocities: “The problem is not so much to challenge their hard line, because it may be perfectly valid—but to challenge them to consider alternatives.”

In other cases, the “departing train strategy,” where the mediator asserts that the process will go forward regardless of whether a party joins has been used. When peace is achieved, the party that has excluded itself may change its analysis and join the process as the advantages of participation become clearer.

The Special Issue of Accommodating Peace and Justice

When conflicts lead to gross violations of human rights and international humanitarian law, peace and justice are indivisible. But in practice, addressing both can be a challenge for mediators, parties, civil society, and the international community. To ensure that transitional justice issues are adequately covered in peace agreements, mediators should rely on the expertise developed by the UN system and external experts. Widespread national consultation with civil society groups (including victims) is vital, particularly where their perspectives are not represented in the mediation process.

Where serious crimes have been committed and are under investigation by the International Criminal Court (ICC), pursuing international justice during mediation can generate considerable tension, since those being investigated or indicted may cease

cooperation and actively obstruct the mediation process. Ignoring the administration of justice, however, leads to a culture of impunity that can undermine sustainable peace. Mediators should make international legal obligations clear to parties, who should understand that, once ICC jurisdiction is established, it is essential that the Court rules on matters before it.

Settling for a Less than Perfect Deal

Mediators argue that parties need to be helped to understand that they cannot obtain everything they want, but should believe that the peace agreement is the best they can get at the time of the signature. Although there will be opposition, mediators can help leaders understand that history will show that they took courageous decisions.

Achieving Peace Agreements That Facilitate Implementation

Mediators need to think ahead to implementation and be aware that certain substantive aspects of peace agreements make successful implementation more likely. As one mediator noted: “When you negotiate a peace agreement, you have to make sure that you have an agreement that can withstand the test of implementation.” Table 14.1 outlines some of these important requirements. Of course, mediation does not end with signing a peace agreement and is needed throughout the implementation process.



Jan Egeland, former UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, presents his “Ten Lessons from Ten Peace Processes”

Table 14.1. Requirements of a Peace Agreement That Promote Successful Implementation by the UN

- Contains Sufficient Detail and Specificity
- Resolves All Major Issues, Including How Power Will be Shared/Divided
- Is Acceptable to the Majority of Constituents
- Meets International Standards
- Provides Clear Guidelines About Implementation Priorities and Contains Realistic Implementation Timetables
- Gives a Lead Role to the UN in Implementation
- Sets Forth a Clear Implementation Mechanism for Resolving Disputes

Establishing Public Commitment

Public signing of peace agreements can provide a significant finale to mediation and may also help to establish public commitment to peace. A number of peace processes have concluded with dramatic public ceremonies to demonstrate the importance of the agreement and to herald a brighter future.

The Need for Patience and Persistence

Patience and persistence on the part of the mediator are essential. If an agreement is to be legitimate, politically accurate, based on mutual confidence and address all major issues, the mediator will need to spend a great deal of time with the parties and the parties' leadership will need to spend considerable time with their constituents. Mediators caution that it is best to go step-by-step rather than rushing things, as it takes time to bring all parties and their constituents on board.

One mediator sums up the optimism required to succeed: "If you look at things that seem completely impossible, and say, 'OK, this cannot be done,' then realism is a very strong enemy. You must accept that things can be *made* possible, and to the extent that you really want them and you're ready to take risks for them, *then you can achieve results.*"

Principles of Reconciliation

HIZKIAS ASSEFA

Reconciliation is the least understood and operationalized of the conflict-handling mechanisms discussed in Chapter 3. Here we shall start by commenting on the importance and necessity of reconciliation and then point out some critical elements and principles involved in the reconciliation process.

The Need for Reconciliation

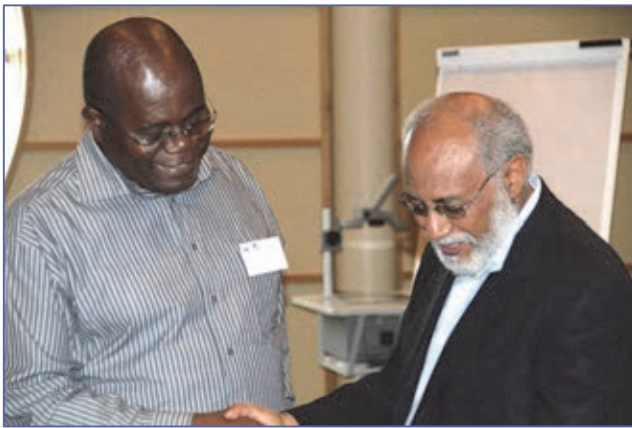
Despite the lack of knowledge regarding how to operationalize reconciliation, there is no question about the tremendous need for it. In fact, it could be said that the need in today's world is much greater than at any other time. One reason is that previously-used conflict management strategies are no longer adequate to deal with many contemporary conflicts. Since the end of the Cold War, civil wars have overtaken interstate wars as the



Assefa outlines the principles of reconciliation

predominant type of large-scale conflict. In interstate conflict, strategies aimed merely at separating the conflicting parties sometimes suffice to avoid recurrence of the conflict, even if the underlying issues are not resolved. Because national boundaries tend to isolate states from each other, the task of separating them by peacekeeping forces is relatively easy.

However, in civil wars, the relationship between the protagonists is much more intimate and complex. Usually, the parties share the same geographic area and community and are linked by economic interdependence and intermarriage. In these instances, it is quite difficult to separate the protagonists since there are no clear boundaries between them. Even if it were possible to temporarily do so, it is not feasible to think of conflict



A Fellow thanks Assefa for his presentation

management strategies (such as separation) as long-term solutions. For that matter, even decisions imposed by adjudication or other such processes would not bring lasting solutions, since the winning party could not expect to enjoy its victory without facing the consequences of the loser's wrath. Therefore, in civil war situations, conflict management strategies are not sufficient. Instead, there is a need to move towards conflict resolution and reconciliation where the underlying issues of the conflicts are resolved to mutual satisfaction and the antagonistic attitudes and relationships between the adversaries are positively transformed.

Even in interstate relations, we are increasingly realizing that the international system is no longer composed of 19th century autarchic states. The globe is shrinking and the fates of different peoples are becoming more intertwined. Thus, it is increasingly difficult to expect unilateral conflict-handling approaches, such as the imposition of solutions by force, to be viable. In an interdependent and closely interconnected world, even the supposedly weak can subvert or undermine the imposed order. Therefore, such marginal groups must somehow be enabled to participate in the search for solutions to their conflicts with more powerful actors. In fact, the democratic values that the current international order is actively promoting as universal necessitate movement towards more interest-based, problem-solving negotiation, mediation and reconciliation approaches, as more effective means of dealing with conflict rather than the imposed, unilateral measures that rely on coercion.

What Does Reconciliation Entail?

Reconciliation entails the following core elements:

- 1) Honest acknowledgment of the harm or injury each party has inflicted on the other
- 2) Sincere regret and remorse for the injury done
- 3) Readiness to apologize for one's role in inflicting the injury
- 4) Commitment by the offender not to repeat the injury
- 5) Readiness of the conflict parties to “let go” of anger and bitterness caused by the conflict and injury
- 6) Sincere effort to redress past grievances that caused the conflict and, to the extent possible, repair or compensate for the damage caused, and
- 7) Entering into a new mutually-enriching relationship

Reconciliation then refers to the new relationship that emerges as a consequence of these processes. What most people call “healing” refers to the mending of deep emotional wounds (generated by the conflict) that follows the reconciliation process.

A special aspect of the reconciliation process is its methodology. In conflict-handling mechanisms, such as adjudication and arbitration, and even in traditional negotiation and mediation, the method used to establish responsibility for the conflict and its consequences tends to be adversarial. The parties present their grievances and make a case for their adversary's responsibility or blame, thereby demanding that their adversary should make amends. Each party then tries to defend its own behaviour and denies its own responsibility until it convinces its opponent or third parties, such as judges or mediators. In such processes, one's behaviour is always explained as a reaction to the behaviour of the adversary. The typical pattern of the interaction is: “I did this to you because you did such and such to me!” The aim of each party is to change their adversary's future conduct by getting them to accept their guilt and rectify their ways. Of course, the expectation is that both parties will change each other by mutual recrimination and will eventually transform their relationship from negative to positive.

The essence of reconciliation is, however, a more voluntary acknowledgement of the parties' own responsibility and guilt. The interactions between the parties are not only meant to communicate one's grievances against the adversary's actions, but also to engage in self-reflection about one's own role and behaviour in the conflict dynamics. In other words, as much as one attributes guilt and responsibility to the adversary for the damage generated by the conflict, in this kind of dialogue, one must also be self-critical and acknowledge responsibility for one's own role in the creation or perpetuation of the conflict and hurtful interaction. The aim of such an interaction is for each of the parties to

acknowledge and accept responsibility, to redress the injury inflicted on the other, as well as to refrain from further damage, and to construct a new positive relationship.

In reconciliation and other conflict resolution mechanisms, the process of dialogue is expected to generate change and transformation. In reconciliation, however, the forces for change are primarily internal and voluntary; while in traditional approaches, they are external and to a certain extent coerced. Where the source of change is external, it is possible that it might be the adversary's skill in marshalling and presenting its arguments; its strong will and intransigence; or its capacity to manipulate, exert pressure, or administer punishment that might intimidate the other party into accepting responsibility and settlement. Under such circumstances, it is questionable whether the reluctant acceptance of guilt can significantly alter the future conduct and relationship between the adversaries.

This does not imply that it is impossible to induce change in behaviour and relationships by external forces, nor that every person can wilfully change behaviour and voluntarily improve relationships. The point is that unless the need for change is internalized, the change is likely to be temporary. The relationship will not have been significantly altered, and the conflict will not have found enduring solutions. Hence,



A Fellow and Assefa exchange anecdotes

as soon as the circumstances change, the conflict is likely to manifest itself again. More enduring transformation might emerge when it is motivated by an internal urge to change, especially when it emanates from reflection and self-criticism.

Reconciliation and Justice

The relationship between reconciliation and justice is often confused. Especially in conflicts with horrendous atrocities, many have argued that reconciliation is not appropriate because it is too soft on offenders and might encourage them to repeat their crimes. They feel that justice (by which they usually mean punishment of offenders) precedes reconciliation. However, this argument presents a false dichotomy. A reconciliation effort that does not address injustice would indeed be a mockery as it belittles the victim's suffering. There cannot be reconciliation without justice, since justice and equity are at the core of reconciliation. The central question in reconciliation is not

whether justice is done, but rather how to do it in ways that can also promote harmony and positive future relationships between parties that are likely to have to continue living with each other, whether they like it or not. Justice is, therefore, a necessary but not sufficient condition for reconciliation. Reconciliation takes the concern for justice a step further and focuses on how to rebuild a more liveable and psychologically healthy environment between former enemies where the vicious cycle of hate, suspicion, resentment, and revenge does not continue to fester.

Thus, the methodology for arriving at justice in the reconciliation process is different from the conventional juridical approach. The aim of judicial processes (particularly the criminal justice process) is primarily to identify guilt and administer the prescribed punishment, with little concern for healing the existing bitterness and resentment between the conflict parties. Assisting offenders to redress the material and emotional damage they have inflicted, through self-reflection, acknowledgment of responsibility, remorse, compensation or other reparation is an important aspect of justice, while also establishing an environment for reconciliation. The approach of “restorative justice” as opposed to “retributive justice” brings people closer to the point where justice can be done, while at the same time it enhances the possibilities for reconciliation.

Applying the concept of reconciliation in catastrophic situations does not mean that the offenders would just be pardoned. Rather, it means creating a process where the offenders take responsibility for their offenses and engage in a new dynamic to alter the situation in order to lead to a more positive and lasting relationship with the former adversary. To the extent the offenders keep denying their guilt (even if their responsibility is proven legally and they are punished), the internal change needed to alter relationships from destructive to constructive, from hate to cooperation and harmony, may not happen. Particularly in group conflicts, punishment of the offenders alone does not prevent them or their followers (and at times, even their descendants) from continuing to hate and crave retaliation against those that punished them or their forefathers. Reconciliation has a much better chance of stopping the cycle of violence and hatred that sometimes transcends generations, more than any other conflict-handling mechanism. Although flawed in many ways, this is what the experiments with truth and reconciliation commissions in conflict-ravaged societies are trying to accomplish.



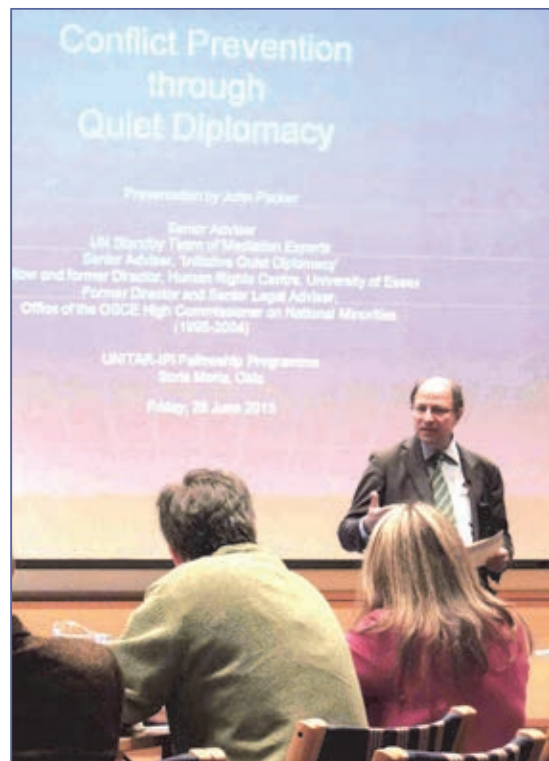
Fellows enjoy a break from the programme in the Norwegian sun

Preventing Conflict Before It Becomes Violent

JOHN PACKER

It is axiomatic that war is costly in every sense. Indeed, it was the extraordinary cost—in human, material and financial terms—of two world wars in the first part of the last century that led to the creation of the United Nations in 1945 expressly “to save succeeding generations from the scourge of war,” as the Preamble to the UN Charter begins. This essential rationale for the UN generated the revolutionary international law of cooperation (as Wolfgang Friedmann eloquently captured in his seminal 1964 book on *The Changing Structure of International Law*) as stipulated in Article 1 of the Charter which sets out the purposes of the United Nations. The corresponding *obligation* of membership to resolve disputes peacefully is expressed succinctly in Article 33 of the UN Charter which offers a menu of choices of means for resolving disputes before they turn violent.²² These all imply kinds of diplomacy—bilateral or multilateral.

Regrettably, throughout the history of the UN (first due to the Cold War and then because of fears that UN involvement might “internationalize” a given conflict), too little has been done to translate the words of the Charter into lived reality—especially to carry out what has now become known as *operational prevention* or *preventive diplomacy*. This failure persists—notwithstanding the experience that once violence breaks out, a conflict develops its own



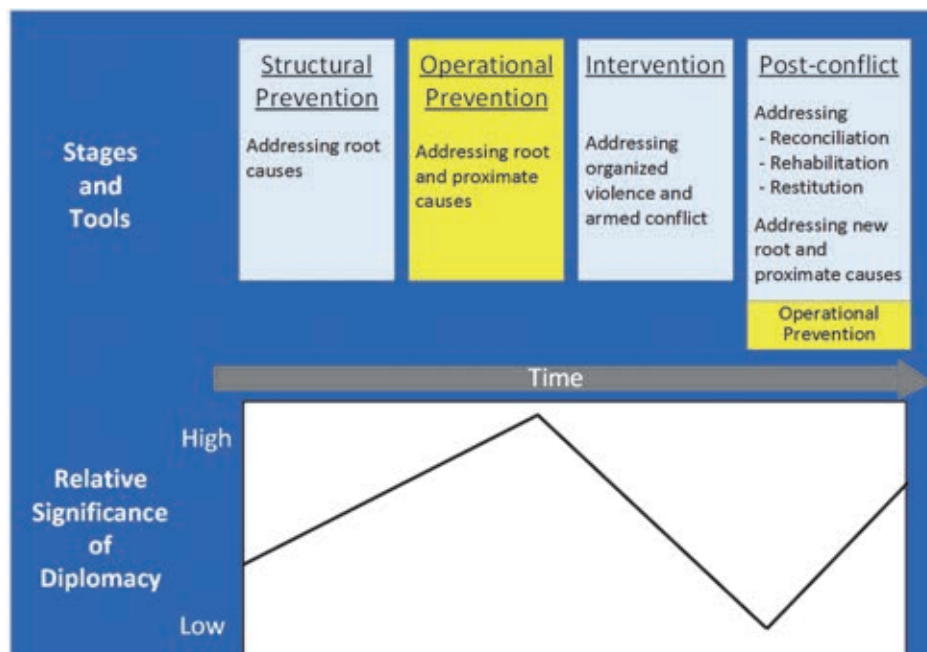
Packer presents the concept of conflict prevention through quiet diplomacy

²² Article 33 reads: “The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.”

dynamics, reducing substantially the chances for successful diplomatic engagement, largely leaving the international community with the costly options and uncertain outcomes of coercive forms of intervention. In order to prevent such developments, cooperative action must be initiated *much earlier*.

This chapter is focused on operational prevention which refers to mandates and capacities aimed at preventing violent conflict through diplomatic means of non-coercive engagement, such as the provision of good offices, including direct assistance with matters of governance within, and relations between, states. Figure 16.1 suggests that diplomacy is most useful at the operational prevention stage, arguably at times of heightened tension but before the outbreak of widespread violence (or at least with no more than occasional incidents of violence).

Figure 16.1. Relative Significance of Diplomacy Along the Conflict Continuum



In terms of the choices described in Article 33 of the UN Charter, judicial or quasi-judicial recourses have not proven popular with states (which appear to prefer other options) while such recourses are generally not available to non-state actors. What remains are forms of diplomacy. Of course, diplomatic customs and law are ancient and well-established. In this regard, the normal diplomacy in pursuit of interests such as trade and exchange is to be distinguished from diplomacy associated with violent conflicts including coercive forms of diplomacy (such as “gun-boat diplomacy” and “megaphone diplomacy”) and non-coercive forms which are compatible with the purposes of the UN and manifest “friendly relations” even amongst disputing Member States.

The notion of preventive diplomacy—aimed at preventing violence—has evolved in recent years to include the approach of “quiet diplomacy” which is characterized by efforts to create conditions, outside the glare of public pressure, in which parties feel comfortable to act peaceably, calmly evaluating positions and interests, weighing options, considering advice, etc. Such quiet, interest-based, problem-solving preventive diplomacy has proven effective, offering a rational-choice model for useful analyses and processes.

Operational Prevention Through the United Nations

Recently, the United Nations has become more active in not only promoting a culture of prevention, but also in beginning to operationalize its practice. The UN Department of Political Affairs (established under UN Secretary-General Boutros-Ghali during the more hopeful days of the post-Cold War era) has a mandate for preventive diplomacy, and has begun to increase its activities in this realm. The creation of the Mediation Support Unit and the popularity of its Standby Team of Mediation Experts (see http://www.un.org/wcm/content/site/undpa/standby_team) have also contributed to more effective preventive diplomacy efforts, often operating quietly, in a number of situations.

The 2011 Report of the Secretary-General entitled “Preventive diplomacy: Delivering results” (S/2011/552) provides a summary of key actors, tools and instruments and also describes a number of conflict situations in which such actions have been effective.



SRSG Miroslav Jenča discusses his work at the UN Centre for Preventive Diplomacy for Central Asia

This report (along with the two mediation reports mentioned in Chapter 1) is provided to all Fellows of the Fellowship Programme, who are asked to read it ahead of the programme as background material.

As noted in this 2011 Report, political missions are increasingly being used as a tool for operational conflict prevention: “In 2010, the United Nations, the European Union, the Organization for

Security and Cooperation in Europe and the Organization of American States deployed almost 50 such missions in the field, many with a preventive diplomacy and good offices mandate” (pp. 3-4). Another important innovation has been the establishment of small UN regional offices which are present on the ground to provide quiet assistance as necessary. To date, three such offices have been established: the UN Office for West Africa, the UN Regional Centre for Preventive Diplomacy for Central

Asia, and the UN Regional Office for Central Africa—and all are reporting positive impacts from their efforts. The wider UN system is also improving its capacities and effects, notably the in-country UN Resident Coordinators, UNDP's Bureau for Crisis Prevention and Recovery (BCPR) and other actors who provide various forms and degrees of assistance especially important in the context of political transitions.

Operational Prevention Through Regional and Other Intergovernmental Organizations

Regional and other intergovernmental organizations (ROIGOs), including sub-regional organizations, also have an important role to play in operational prevention, since contemporary security threats and conflicts increasingly do not respect state borders, requiring interstate cooperation in effectively addressing, if not preventing, them. Indeed, conflicts tend to spill over borders and link with other sources of instability, aggravating regional insecurity. In such situations, it seems indisputable that cooperative (usually multilateral) and multidimensional approaches and strategies are required.

Regional organizations, of course, are referred to in the UN Charter, where Chapter VIII explicitly endorses the principle of subsidiarity by identifying and encouraging “regional arrangements or agencies” as appropriate initial actors in seeking to defuse tensions and resolve local disputes within the region before possible referral to the Security Council. The same applies for IGOs (such as the Commonwealth) which manifest affinities as a result of colonialism but have evolved as a result of shared historical experience and other references, as well as shared interests.

To this end, the establishment or strengthening of *assistance-oriented inter-governmental mechanisms* enabling early action is also needed at the regional and sub-regional levels. With their close historical, political, economic, cultural and geographic ties and typically superior local knowledge, strong links and sustained commitment and interest—even affinities, ROIGOs hold considerable potential for collective approaches to early conflict prevention. Their chances for successful engagements are also arguably often better than the engagements of more distant actors.

Options and Tools for Operational Prevention

There are a number of means that can be used by the United Nations, regional and sub-regional organizations to further develop this approach. They can, for example, create standing institutions or mechanisms dedicated to the prevention of violent conflict; incorporate and mainstream conflict prevention (and peacebuilding) perspectives and approaches in their programmes and work; and build capacity for effective action,

notably early warning and early diplomatic action, in conjunction with political and economic measures and arrangements.

Early warning functions include the creation of monitoring capacities and the application of professional expertise and analytical skills. Systems of information collection and management must efficiently sort and channel information to be analyzed by experts and then translated into policy-relevant recommendations for use by appropriate actors in a timely fashion, and over time. Deep (and unbiased) situational or area knowledge is vital for reliable analysis, credible advocacy and practical assistance.



Early action functions require the development and commitment of one or more skilled problem solvers in diplomacy, negotiation, mediation, facilitation and technical assistance.

Fellows consult with Packer on his presentation

Ultimately, judgement is required to make decisions about the timing of engagement or initiatives, and how, with whom and with which “volume” and speed to do so in a specific context. To this end, early confidence building and perseverance are key, with the approach being to engage early and build relations over time.

The diplomatic tools available include options for third parties to act—suggesting, encouraging and assisting practically—in structuring dialogue and creating political space for various interested parties to address options (and hopefully find solutions) regarding recurrent issues, including exclusion/discrimination, contested matters of identity and diversity management, wealth distribution and participation in public decision making. Such substantive issues in dispute are at the core of violent conflicts and need to be addressed.²³ Fourth parties (referred to in Chapter 5 as “secondary actors”), who may not be centrally involved in the conflict but have interests, can also be rallied to create positive conditions and incentives, both material and moral. Mobilizing them, as well as others who may influence the protagonists, is another crucial function of a proactive third-party intermediary.

Such an approach can generate recommendations and persuade both governments and other actors to carefully consider the consequences of certain kinds of action or

²³ For useful practical guidance on how to address some of these recurrent issues, see the Conflict Prevention Handbook Series of the Initiative on Quiet Diplomacy available at: <http://www.iqdiplomacy.org/handbook-series>

inaction. The task goes far beyond encouraging dialogue or articulating consequences. A trusted and capable third party acting as a problem solver can facilitate contacts and processes (indirectly or in some cases directly) between actors, and bring cross-contextual expertise gained from many comparable situations. Such a problem solver essentially helps to find or construct solutions, which can take the form of advice on policy and law in relation to such things as political organization and participation; access to public goods (material resources, opportunities or positions and prestige); elections; decentralization; constitutional reform; citizenship policies; maintenance of identities; the use of language(s); education; cultural policy; wealth-sharing and public financing; bilateral relations, including the conclusion and implementation of treaties, and so forth.

The techniques available are also broad-ranging, and might include confidential bilateral exchanges, multi-party discussions or round tables, technical consulting, facilitating access to other sources of advice, as well as to the financial and material resources necessary for policy implementation, and much more.²⁴ Finally, the function also involves an advisory role which shares the lessons learned from particular situations with the international community. Thus, the institutionally-based problem solver is an advocate within his/her organizational framework who also can inform and suggest structural, procedural and normative developments (not to mention provision of resources) that may further facilitate conflict prevention in the future.

The OSCE High Commissioner on National Minorities as an Example of Effective Operational Prevention

Without a doubt, the OSCE High Commissioner on National Minorities (HCNM—see <http://www.osce.org/hcnm>) is the most well developed example of a conflict prevention problem solver within a regional organization. Selected on the basis of high integrity and reputation, the HCNM constitutes a standing and full-time institution (now supported by a staff of some thirty persons) able to act independently and impartially, based on his/her own judgement, to address situations involving national minorities which threaten relations between OSCE participating States. Such situations—whether interstate or intrastate—vary in



OSCE High Commissioner on National Minorities, Knut Vollebaek, discusses his work

²⁴ For a succinct account, see Collins, C. and Packer, J. (2006) *Options and Techniques for Quiet Diplomacy*. Ottawa: Initiative on Quiet Diplomacy.

their stage and character of conflict, but possess the potential for violent conflict if they have not already erupted (and so merit efforts to stem recurrence).

The mandate of the HCNM is conflict prevention “at the earliest possible stage,” which involves containing and de-escalating tensions involving national minorities. While the process is predominantly confidential, the HCNM does report back to the OSCE Permanent Council (in addition to the Chairman-in-Office) and can provide express early warning and recommendations for early action (beyond his/her own) where a situation has the potential to erupt in violent conflict.

Importantly, the HCNM is not a human rights instrument and the role is not one of overseeing state compliance with international standards to protect minorities or to take up individual cases as a form of ombudsman. Rather, it is a *conflict prevention mechanism* acting by means of quiet diplomacy. The first HCNM, H.E. Dr. Max van der Stoep, carefully approached and developed the role by providing respect for all parties and careful assistance, away from public or media attention, with the aim to help address potentially disruptive problems facing OSCE participating States. Using a cooperative, problem-solving approach in a discreet manner resulted in the HCNM becoming a useful instrument of conflict prevention in a range of contexts, particularly in transitional societies where the risks of violence were and remain many and substantial.

The HCNM, who does not need a formal invitation by a state to become involved in a situation, proactively initiates contact with states when potential for violence is apparent, meeting with parties, analysing potential sources of conflict, and offering assistance. Through a series of visits and confidential meetings with parties representing government and national minority groups, the HCNM seeks to build an understanding of the situation, including the interests (needs, concerns and aspirations) of each party. This systematic exploration typically culminates in the HCNM offering recommendations and specific advice, sometimes presented through written letters. Because of the quiet approach and successful outcomes of the HCNM, a range of states have invited the High Commissioner to become involved in situations involving difficult bilateral relations or simply to share expertise and accumulated knowledge of what has been successful in other contexts, and might be useful in a current situation, to assist with policy development and legal reform.



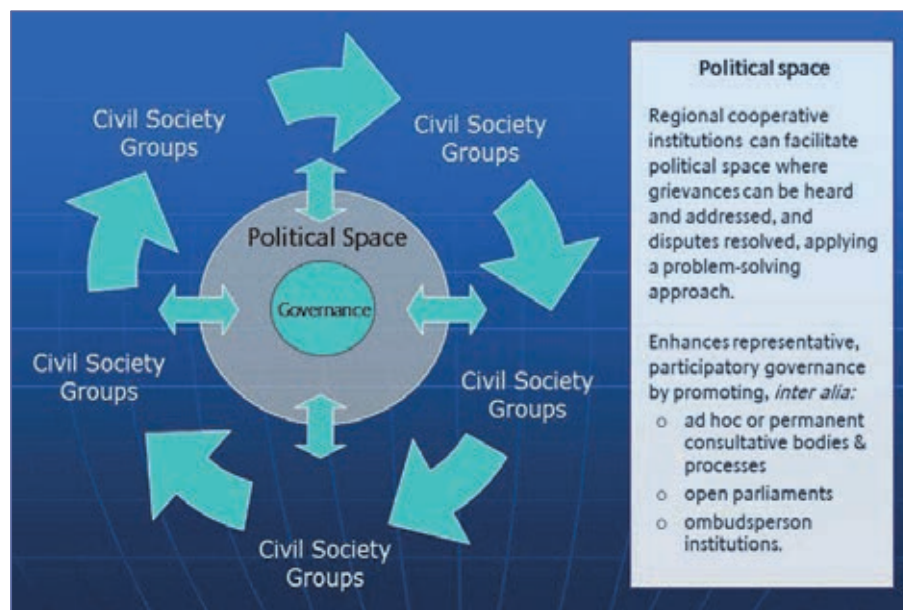
Vollebaek, also former Minister of Foreign Affairs of Norway, converses with a Fellow

Over the years, the Fellowship Programme has been privileged to be addressed by two of the now four High Commissioners (notably the first and third HCNMs, Max van der Stoel and Knut Vollebaek). As well, a video on the work of the first High Commissioner, entitled “The Silent Diplomat,” is shown during the programme to demonstrate the methodology of this work and the qualities of tenacity, perseverance and creativity that are required for such an individual to be successful.

Civil Society Organizations as Actors in Operational Prevention

Civil society organizations (CSOs) can also contribute to operational prevention. Beyond information gathering and independent analysis, they can play a crucial role in building confidence and reassuring affected communities about wider developments. As Figure 16.2 illustrates, regional (and other) organizations can facilitate such political space, where civil society organizations (including affected or interested parties) can contribute by articulating concerns, expressing views and suggesting courses of action, thereby rendering more inclusive and better decision making by responsible authorities.

Figure 16.2. Enlarging Political Space as a Means of Conflict Prevention



Once again, the OSCE HCNM offers an example of how this can work since the mandate not only provides access to/within any OSCE participating State but, importantly, also ensures contacts with civil society, balanced by confidentiality. Thus, the HCNM meets with representatives from all sides, including senior government officials, as well as representatives from minority groups and CSOs, often engaging them in a co-operative problem-solving process. As argued by Max van der Stoel: “If minorities have input into

discussion and decision-making bodies, if they have avenues of appeal, and if they feel that their identities are being protected and promoted, the chances of inter-ethnic tensions arising will be significantly decreased.”²⁵

A hallmark of the HCNM’s approach, and essential for its success, is the existence of a normative framework elaborated and shared by OSCE participating States from the 1975 Helsinki Final Act forward. At the heart of this framework are the norms and standards of the OSCE’s “human dimension” (both human rights and humanitarian principles) which have been carefully negotiated and adopted by consensus and are applicable across the OSCE region. Commitments to deliberative democratic governance entail rights of political participation, as well as other entitlements for persons belonging to national minorities regarding protection of their identities. Both ad hoc and standing arrangements—places and spaces—for dialogue, exchange and decision making on public policy, as well as recourses for disputes, are instrumental for peacebuilding. In respect of specific (and often recurring) issues in dispute, the HCNM has been said to act as a “normative intermediary” helping parties to understand, interpret and apply relevant norms and standards for better governance and to help them manage differences if not resolve disputes.

In addition to the HCNM, the OSCE also has deployed a number of preventive diplomacy missions within states over the years which have been quite successful. Such missions have established an open-door policy for persons belonging to minority or other communities who wish to complain about government policies and practices. The UN regional centres have also operated in a somewhat similar manner.

The role of Track Two (i.e., non-official) diplomacy has also been particularly relevant in addressing issues beyond the reach of official efforts in several regions and specific situations. Indeed, there has emerged a group of specialized NGOs which constitute the Mediation Support Network (MSN—see: <http://mediationsupportnetwork.net/>) manifesting operational prevention in various ways and at different levels including community-based. Their evolving experience shows that the interaction between official and non-official tracks can be mutually reinforcing and, effectively combined, can increase the chances of success for preventive diplomacy efforts.

It is nonetheless apparent that the field is small and the community of actors engaged full-time in operational prevention or preventive diplomacy remains modest in size and resources. Much needs to be done to develop the methodologies, skills and

²⁵ Collins, C., Friberg, E. and Packer, J. (2006) *Overview of Conflict Prevention Capacities in Regional, Sub-regional and Other Inter-governmental Organisations*. The Hague, the Netherlands: European Centre for Conflict Prevention.

institutional arrangements for early operational prevention at a stage when it can be most effective in preventing violent conflict. As the UN Secretary-General's report on prevention observes, preventive diplomacy is a "high-return investment. The biggest return comes in lives saved. However, prevention also makes strong economic sense. The World Bank has calculated that 'the average cost of civil war is equivalent to more than 30 years of gross domestic product (GDP) growth for a medium-size developing country.' The most severe civil wars impose cumulative costs of tens of billions of dollars, and recovery to original growth paths take the society concerned an average of 14 years" (p. 5).



Discussions with Packer continue over lunch

Supporters of the UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy

TRISHA RIEDY AND CONNIE PECK

One of the major challenges of establishing and sustaining the Fellowship Programme over the past 20 years has been the requirement for annual fund-raising. Since, as an autonomous institute of the United Nations, UNITAR receives no funding from the UN regular budget, all funds need to be obtained from extra-budgetary sources. The Programme Manager²⁶ must raise all funds, both for the expenses of the Fellowship Programme itself (and the other programmes organized by the UNITAR Programme in Peacemaking and Conflict Prevention mentioned in Chapter 1), and for the salaries of UNITAR staff and consultants involved in organizing and running these training programmes. This process requires the Programme Manager to identify potential donors, demonstrate the importance of the work, submit funding proposals, negotiate funding agreements and provide detailed evaluation and financial reports at the end of each cycle.

Securing a donor for one year does not necessarily mean that a particular government or foundation will be able to support the programme in future years. Foundations change mission objectives when their leadership changes. Crises around the world alter governments' priorities and cause them to spend a large proportion of their funding stream on emergency aid. When a different political party wins office and there is a change of government, the new party often has different interests or simply does not wish to fund something supported by the previous government. Often, the individual who was the government's interlocutor is assigned elsewhere, requiring new relationship building with replacements who may not have the same level of interest. World economic downturns are also problematic, as governments simply have less money.

In spite of these obstacles, we have been successful in attracting funders for the Fellowship Programme, often over long periods of time. One of the most effective means of ensuring that donors see the benefits of the programme has been the first-hand observation by diplomats who are sent by their governments to participate and

²⁶ Connie Peck for the first 15 years of the programme and now Trisha Riedy.

who then convey the programme's value back to their ministries. Table 17.1 provides a list of the donors to the Fellowship Programme over the past 20 years. The list is even longer when all the training programmes mentioned in Chapter 1 are taken into account. As also mentioned in Chapter 1, without the generous and reliable support of these donors over many years, there would have been no UN training programmes in peacemaking and preventive diplomacy. UNITAR and all those who have benefitted from the Fellowship Programme are most grateful to them for their support. Norway's hosting of the Fellowship Programme at the Soria Moria Conference facility, for so many years, has been most helpful, indeed.

Although not always fully appreciated, the cost effectiveness of funding carefully designed training programmes in conflict prevention and resolution would seem to be obvious. The more we understand about how violent conflict can be prevented and resolved, the more effective we are likely to be in achieving the UN Charter's goal of "saving succeeding generations from the scourge of war." The development of appropriate theory and research that truly addresses this challenge is crucial. But this is of little use until we ensure that those charged with carrying out the UN's difficult and highly complex mandate are aware of that body of knowledge and have the opportunity to develop and refine their skills, so that their efforts can be maximized. Advanced training programmes, such as the Fellowship Programme, can thereby greatly increase the UN and regional organizations' capacity for conflict prevention and resolution. Efforts, such as the ones outlined in this book, cannot continue and grow without adequate support. Therefore, if the international community truly wishes to foster a culture of conflict prevention and resolution, it will need to ensure that research and training in this area are given appropriate support and encouragement. In terms of cost effectiveness, this is, indeed, a small price to pay, compared to the enormous cost to the international community of even one conflict that has spiralled out of control.

The Secretary-General's Five-Year Action Agenda prioritizes preventing violent conflict and calls it a "generational imperative and opportunity."²⁷ In his 2011 report, *Preventive diplomacy: Delivering results* (mentioned in Chapters 1 and 16), the Secretary-General notes that "Preventive Diplomacy today is delivering concrete results, with relatively modest resources, in many regions of the world, helping to save lives and to protect development gains. . . I firmly believe preventive diplomacy is not optional; it is necessary" (p. 23). The Secretary-General concludes, "It is without doubt, one of the smartest investments we can make" (p. 24).

²⁷ United Nations. *The Secretary-General's Five-Year Action Agenda*, 25 January 2012, pp. 5-6.

Table 17.1. Funding for the UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy

NAME OF FUNDER	YEARS OF FUNDING
GOVERNMENTS	
The Ministry for Foreign Affairs of Sweden	20
The Ministry of Foreign Affairs of Norway	15
The Department for International Development of the United Kingdom	9
The Federal Ministry for Foreign Affairs of Austria	8
The Department for Foreign Affairs and International Trade of Canada	8
The Federal Foreign Office of Germany	8
The Department of Foreign Affairs and Trade of Australia	5
The Federal Department of Foreign Affairs of Switzerland	5
The Ministry of Foreign Affairs of the Republic of Cyprus	4
The Foreign and Commonwealth Office of the United Kingdom	4
The Ministry of Foreign Affairs of Finland	3
The Minister for Development Cooperation of the Netherlands	3
The Australian Civil-Military Centre	2
FOUNDATIONS	
The Carnegie Corporation of New York	6
The William and Flora Hewlett Foundation	6
The McKnight Foundation	5
The United States Institute of Peace	3

Resource Persons over the 20 Years of the Fellowship Programme

Many distinguished experts from around the world have accepted invitations to the Fellowship Programme as resource persons to share their knowledge and experience with participants. Some have contributed many times. Below is a list of this outstanding group. Affiliations are those at the time of the last attendance at the Fellowship Programme.

H.E. Mr. Aldo Ajello
Under-Secretary-General of the United Nations
Special Representative of the Secretary-General in Mozambique

Dame Margaret Anstee
Under-Secretary-General of the United Nations
Special Representative of the Secretary-General in Angola

Professor Hizkias Assefa
Professor, Institute of Justice and Peacebuilding, Eastern Mennonite University
Coordinator, African Peacebuilding and Reconciliation Resources (Kenya)

Dr. Eileen Babbitt
Director, International Negotiation and Conflict Resolution Program
Fletcher School of Law and Diplomacy, Tufts University

Mr. Derek Boothby
Director, Europe Division, United Nations Department of Political Affairs

H.E. Mr. Lakhdar Brahimi
Under-Secretary-General for Special Assignments
in Support of the Secretary-General's Preventive and Peacemaking Efforts

Professor Diana Chigas
Professor of Practice, Fletcher School of Law and Diplomacy, Tufts University

Professor Kevin Clements
Director, Institute for Conflict Analysis and Resolution, George Mason University

Professor K.M. De Silva
Executive Director, International Centre for Ethnic Studies (Sri Lanka)

Mr. Alvaro de Soto
United Nations Assistant-Secretary-General for Political Affairs

Mr. Felix Cyril Downes-Thomas
Representative of the Secretary-General in Liberia and
Head of the United Nations Peacebuilding Support Office in Liberia

Dr. Ronald Dryer
Deputy Director, Electoral Unit, United Nations Mission in Mozambique

H.E. Mr. Jan Egeland
Director, Norwegian Institute of International Affairs
Former UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator
Former Special Adviser to the Secretary-General for Colombia

H.E. Mr. Jan Eliasson
Chairman of the Minsk Group of the OSCE
Former United Nations Under-Secretary-General for Humanitarian Affairs

H.E. Mr. Nils Eliasson
Director, Secretariat of the Conference on Security and Cooperation in Europe

Professor Ronald Fisher
Professor of Psychology, University of Saskatchewan

Mr. Vladimir Goryayev
Deputy Director, Asia and Pacific Division, United Nations Department of Political Affairs

Mr. Marrack Goulding
United Nations Under-Secretary-General for Political Affairs

Professor Ted Robert Gurr
Distinguished Professor of Government and Politics and Distinguished Scholar
Center for International Development and Conflict Management, University of Maryland

H.E. Mr. Ahmed Haggag
Assistant-Secretary-General, Organization of African Unity

Mr. Omar Halim
Senior Scholar, Centre for Strategic and International Studies (Jakarta)
Former Director, UN Department of Peacekeeping Operations

Mr. Peter Harris
Director of Programmes, International Institute for
Democracy and Electoral Assistance

H.E. Mr. Vidar Helgesen
Secretary-General, International IDEA
Former State Secretary, Ministry of Foreign Affairs of Norway

H.E. Mr. John Hirsch
Vice President, International Peace Academy

Professor Donald Horowitz
James B. Duke Chair of Law and Political Science
Duke University School of Law

Ambassador Miroslav Jenča
Special Representative and Head of the United Nations
Regional Centre for Preventive Diplomacy in Central Asia

Dr. Mukesh Kapila
United Nations Resident and Humanitarian Coordinator in Sudan

Mr. Leonard Kapungu
Deputy to the Special Representative of the Secretary-General in Somalia



*State Secretary Vidar Helgesen
presents Norway's
peacemaking activities*

Mr. Paul Kavanagh
Senior Political Adviser, United Nations Force in Cyprus

H.E. Judge Abdul Koroma
Judge, International Court of Justice

H.E. Mr. Jan Kubis
Director, Conflict Prevention Centre, Organization for Security and Cooperation in Europe

H.E. Mr. Timo Lahelma
Ambassador for Human Rights, Foreign Ministry of Finland
Former Head of OSCE Mission to Estonia

H.E. Mr. José Ayala Lasso
United Nations High Commissioner for Human Rights

Dr. Roy Lee
Principal Legal Officer, United Nations Office of Legal Affairs

Professor Alain Lempereur
Professor of Law and Negotiation, ESSEC Business School

H.E. Dr. Walter Lichem
Director, International Organizations Department
Federal Ministry for Foreign Affairs of Austria

Dr. Sverre Lodgaard
Director, Norwegian Institute of International Affairs

Dr. Robin Ludwig
Deputy Director, United Nations Electoral Assistance Unit

Dr. Michael Lund
Senior Associate, Center for Strategic and International Studies (Washington, DC)

H.E. Mr. John MacDonald
Chairman, Institute for Multi-Track Diplomacy

Mr. Augustine Mahiga
Coordinator, Special Unit for Rwanda and Burundi
United Nations High Commissioner for Refugees

Dr. David Malone
President, International Peace Academy

Mr. Ian Martin
Former Special Representative of the Secretary-General in Timor-Leste, Nepal and Libya

Dr. Christopher Moore
Senior Partner, CDR Associates

Dr. Timothy Murithi
Programme Officer, UNITAR Programme in Peacemaking and Preventive Diplomacy

H.E. Mr. Herbert Okun
Deputy to Mr. Cyrus Vance, Conference on the Former Yugoslavia

H.E. Mr. Olara Otunnu
President, International Peace Academy

H.E. Mr. Ahmedou Ould-Abdallah
Special Representative to the Secretary-General in Burundi

Professor John Packer
Director, Human Rights Research and Education Centre, University of Ottawa
Constitutions and Process Design Expert, UN Standby Team of Mediation Experts
Senior Adviser, Initiative on Quiet Diplomacy
Fellow and Former Director, Human Rights Centre, University of Essex

Professor Robert Pastor
Fellow, The Carter Center
Professor of Political Science, Emory University

Dr. Connie Peck
Consultant, United Nations Institute for Training and Research
Former Principal Coordinator, Programme in Peacemaking and Preventive Diplomacy, UNITAR

Mr. Giandomenico Picco
United Nations Assistant Secretary-General for Political Affairs

Ms. Antonia Potter Prentice
Senior Associate (Gender, Peacebuilding and EU Support to Peace Processes)
European Peacebuilding Liaison Office
Senior Advisor, Dialogue Advisory Group and Co-Director
The Athena Consortium

Dr. B.G. Ramcharan
Director, Africa I Division, United Nations Department of Political Affairs

Dr. Ben Reilly
Senior Programme Officer, International Institute for Democracy and Electoral Assistance

Ms. Trisha Riedy
Coordinator, Programme in Peacemaking and Preventive Diplomacy
United Nations Institute for Training and Research

H.E. Mr. Terje Roed-Larsen
President, International Peace Institute
Special Envoy for the implementation of Security Council resolution 1559
Former Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority

Professor Jeffrey Z. Rubin
Director, Program on Negotiation, Harvard University School of Law

Mr. Tamrat Samuel
Senior Political Affairs Officer, United Nations Department of Political Affairs

Dr. Enid Schoettle
Director, Project on International Organizations and Law,
Council on Foreign Relations

H.E. Mr. Erik Solheim
Special Adviser on the Peace Process in Sri Lanka,
Norwegian Ministry of Foreign Affairs

Mr. Raymond Sommers
Director, West Asia Division, United Nations
Department of Political Affairs

H.E. Mr. Joseph Stanford
Senior Trainer, Conflict Management Group,
Harvard University
Former Ambassador of Canada

H.E. Mr. Richard Starr
Australian Ambassador to Spain
Former Australian Ambassador for Disarmament

H.E. Dr. Max van der Stoep
OSCE High Commissioner on National Minorities
Former Minister of Foreign Affairs of the Netherlands

H.E. Dr. Ernst Sucharipa
Head, Diplomatic Academy of Austria

Ambassador Francesc Vendrell
Former Special Representative of the European Union
for Afghanistan
Former Personal Representative of the
UN Secretary-General for Afghanistan



*Ambassador Joseph Stanford
made a major contribution to
the programme for many years*

Mr. Sergio Vieira de Mello
Special Envoy at Large to the UN High Commissioner for Refugees

Professor Margaret Vogt
Senior Associate, International Peace Academy

Ambassador Knut Vollebaek
OSCE High Commissioner on National Minorities
Former Minister of Foreign Affairs of Norway

Professor Peter Wallensteen
Senior Professor of Peace and Conflict Research
Former Dag Hammarskjöld Professor of Peace and Conflict Resolution, Uppsala University
Richard G. Starmann Sr. Research Professor of Peace Studies, University of Notre Dame

H.E. Judge Christopher Weeramantry
Judge, International Court of Justice

Professor Eleanor Wertheim
Professor (Personal Chair), School of Psychological Science
La Trobe University

Ms. Susan Wildau
Senior Partner, CDR Associates



Former Assistant Secretary-General Giandomenico Picco and the late Special Representative of the Secretary-General to Iraq, Sergio Vieira de Mello, spoke together at the first Fellowship Programme in 1993 on the topic of dealing with difficult parties

Comments from End of Programme Evaluations

At the conclusion of every programme, Fellows are given evaluation forms on which they are asked to comment anonymously on the content, relevance and usefulness of the programme, as well as the balance between theory and practice. Below is a sample of responses.

"A lot of thought has been given to this course and it shows. Interesting presentations backed by considered theory made it of direct relevance to my work. UN, regional organization and diplomatic staff from around the world made a dynamic mix. Generous Norwegian hospitality. Thank you all very much. Please don't get tired of running these courses."

"Excellent programme, very well organised. Very good mix between theory and practice in the sense both of real life application and the techniques under consideration by practitioners, and enabling participants to use the techniques in simulations. As a by-product, we also learned a great deal about various actual conflicts. An excellent selection of speakers. A course such as this should be a must for all UN professional staff and diplomats."

"The training was an excellent and enriching exercise which met my already high expectations. The organization and management has been impeccable from the first email I received to the handing out of our views expressed in the sessions in printed and organized documents. Thank you! I think the course is well-designed and it has a good balance between theory and practice. I also appreciated the way in which participants were selected as we have also been able to learn from each other's experiences. Again thanks for your commitment to preventive diplomacy and for putting this programme together in such an excellent and impeccable manner."

"The quality of this programme is outstanding. Participation in the programme enabled me to gain useful insights into key processes, techniques and strategies for effective peacemaking and preventive diplomacy. In particular, the conflict analysis discussions were very useful as were the negotiation and mediation presentations and exercises. The mix between theory and practice was optimum. The emphasis on utilizing practitioners in the field was apt. I gained invaluable knowledge and skills that will improve my efficiency."

"I find this programme to be unique and extremely valuable. It helps participants acquire additional skills and become aware of the latest achievements of the rapidly developing theoretical approaches. In short, this programme is a paragon of excellence."

"I have truly appreciated every aspect of this programme. It is rare. I have learnt so much and gained so many insights in such a short space of time. On one hand, the programme is appropriately structured, on the other it feels like an exploration and journey with lots of room for creativity and spontaneity. The sharing of real life experience is a rare gift. The practical exercises work well and help demonstrate the application of theory to practice. Brilliant! Thank you so much."

"Truly unique experience. Excellent choice of participants. Good motivation. Extremely useful networking possibility. Alumni speakers show success of programme!!!"

“Theory-practice mix is just right. Bibliography is extremely useful even after the course. The learning environment at Soria Moria is very conducive for learning. Exercises are essential, especially the ones with feedback from facilitators. Duration of training is just right given wealth of materials. Overall we were quite busy and often worked through lunch/after dinner and it was rewarding.”

“The conceptual frameworks on negotiation, mediation and conflict analysis were brought to life in the practical exercises we engaged in. The interventions of leading practitioners also gave concrete examples of how the concepts play out in real negotiation and mediation situations. The cases of negotiation and mediation were very well thought out and organized by the resource team. Bravo!”

“I found the programme very interesting, useful, inspiring and thought provoking. And relevant! And well organised! It was fantastic to spend two weeks with a group of people from all over the world, and to gradually get to know so many individuals and see their perspectives. The course seemed very professional—it is clear that UNITAR has lengthy experience in holding this course. The exercises were brilliant. The whole atmosphere at the programme was very positive.”

“It has opened my mind to an area where I thought instinct was enough. It provides excellent tools and new perspectives to analyse conflicts and think about how to bring solutions to them.”

“Although I have studied negotiation in law school and taken subsequent training courses on this subject, I found the UNITAR workshop especially useful, both at professional and personal levels. Substantively, I learned effective negotiation and mediation principles and techniques, often from the different perspectives of the instructors and from a participatory viewpoint. The presence of participants from various cultures and countries added an extra layer to our learning and experience and was particularly enriching.”

“In my view, the programme offered a perfect mix of theory and practice, in both weeks. What we learned and discussed was subsequently put into practice. Changing the style of presenters, form of discussions and compositions of working groups allowed for a most interactive approach and exchange with participants/resource-persons, hereby drawing on the experience and expertise of all. The content of the programme was very broad and comprehensive, well-selected and presented. Thanks for an amazing experience!”

“I found the mix between theory and practice very well-balanced, both in terms of balance throughout the programme as a whole, as well as within particular days and individual presentations. Resource persons were, in my opinion, chosen carefully from among both academics and practicing peacemakers. I found particularly useful that academics were also active practitioners, which may not always be the case. From the logistical perspective, I highly commend a perfectly set up flow of the programme, taking good care of all minor details.”

“Balanced approach between theory and practice. The latter helped to better understand the principles, and the principles were better understood through the exercises.”

“The programme was particularly useful for me. While the theoretical frameworks were very useful, what stood out in my opinion was the quality of the presentations—the wealth of experience which we had access to during the presentations was truly extraordinary and enabled us to place the theoretical frameworks in context. The programme was extremely well structured and organized. It is the most useful programme I have ever attended.”

"The course managed to draw a very good balance between theory and practice that I appreciated highly, since that will provide really useful inputs to my future work. I'm also glad that high quality supporting materials were given to us that help us to conduct further in-depth studies on our own. The course was extremely well-organized and conducted with great fluency. It will surely remain one of the greater impacts on how I will handle subjects involving negotiation or mediation. I also believe that we learnt a lot from each other as well—yet another experience that nothing can substitute. Thank you!"

"While generating new insights into the most relevant and useful theories, the programme provided practical training, thereby enhancing the negotiating skills of the participants. This pragmatic approach was most suitable and useful for the participants from different organizations who need to engage in negotiations in real life situations."

"I found the programme extremely valuable and enriching. The manner in which the subject areas were handled was not only professional but stimulating and created a very good environment for learning. I learnt a lot from my colleagues and was particularly touched by their down to earth attitudes. It was also interesting to see how well we bonded as a team, both participants and resource persons alike. I walk away having gained immense knowledge and capacity to be a much more resourceful and effective diplomat."

"This is a most useful programme. The mix between theory and practice is excellent. The practical exercises are highly relevant. The presentations and discussions were informative and thought-provoking. It has been a pleasure to have attended this programme."

"The programme was fantastic and I am thrilled to have taken part. Truly the most significant professional development training that I have received to date in my UN career. I would implore all my colleagues to take it!"

"I think this is one of the most excellent programmes I have ever participated in, which had a good mix between theory and practice. I also think that this was done with the help of some of the best experts in the world."

"The mediation exercise at the end was a highlight. A great course. Learned very much and I am grateful to the organizers and presenters. Very professional. Very dedicated to teaching peacemaking and diplomacy."

"The concepts, skills, capacities, and information provided were both relevant and useful. The focus on broader linked areas of mediation and negotiation provided numerous opportunities to engage with key issues in the contemporary international scene. The diversity of participants and presenters contributed to this enormously as well. Theory and practice were skilfully combined, which is, I think, a feat more difficult than simply covering both types of issues. Participants in general reflected this by taking on the language and concepts presented during 'lecture' sessions and using them in simulations."

"This was an extremely useful programme and the organizers have got the mix of theory and practice just right. It was suitably academic, but not overly lost in it, and it was appropriately practice-based, without overdoing the scheduled mediation exercises."

"The programme is highly organized and rich in content. It succeeded in bringing to practice many of the concepts that have been so far at the theory level. Most importantly it provided us with tools to proceed with peacemaking, the soul of the United Nations. Thank you, UNITAR and Norway."

"This programme is a unique mix of academic knowledge and conflict analysis and technique to prevent, negotiate and mediate a non-violent solution and hands-on experience revealed by speakers. Add to this the practical role plays, which allow participants to reflect and put in practice the notions recently acquired, and I think this programme makes for the best possible peacemaking and preventive diplomacy training that can be attended in only two weeks."

"The simple fact that this evaluation is anonymous is a reflection of the level of excellence of this programme! There is a good mix between theory and practice. As well, the measured pace of the seminar and the invaluable opportunity to meet colleagues from the UN system (many times or almost always) for the first time is very much welcome."

"The programme is a very high quality, both in terms of calibre of presenters and content of training. Benefitting from the expertise and experience of the former SRSGs is an invaluable component. Thanks very much to the UNITAR team for all their efforts and for making participants feel welcome and their contributions valued."

"It has been a very valuable opportunity to learn about peacemaking and preventive diplomacy on the basis of a systematic conceptual framework, and also simulate how it would be put into practice. Thanks to the interactive way it was conducted, it stimulated creative thinking, and gave the opportunity to both contribute and learn from the other participants as well as resource persons. It was also very useful as it enabled the participants to get to know others working in the same area and establish a contact network."

"Excellent course. Enjoyed and learned. Rare opportunity to meet across UN bodies and with governments. Thank you UNITAR and Norway."

"The course provided an excellent balance of theory and practice. The practitioners who presented their expertise and experiences provided us with incredibly helpful and fascinating insights and we were privileged to be addressed by such a range of people."

"The alternation between theory and the opportunity to practice was well balanced and at appropriate junctures. Opportunities were also provided for comments and reflection afterwards, i.e., after each exercise. This is important in order to process our own reflections on our tendencies, style, strengths and weaknesses during the exercises."

"The programme had a well-balanced mix of both theory and practice. I was very impressed by the balance, including obtaining a sufficient level of theory to enable me to engage in the practical exercise. Excellent course. Well worth/vital to continue in years to come. Really fantastic and valuable in bringing together networks and bodies of knowledge, which otherwise don't exist and/or are inaccessible. Well done!!"

"Unlike many programmes, the combination of theory and practice is an excellent way of getting participants to put into practice what they have learned based on exercises that in many ways reflect the reality of today's conflicts. The course also brought attention to basic, yet necessary concepts that are usually taken for granted in negotiations and mediation. Well organised, thorough planning and excellent and experienced resource persons. I have not had so much fun while learning before. Keep it up! Also, the list of reading material is excellent."

"The programme has a very well selected selection of resource persons who have excellent credentials and do a great job. Logistically the arrangements are excellent and very well managed, as a result of which participants have an enormous sense of well-being and have been able to devote all their energies to the programme."

"I think that the balance between theory and practice and the way that it was handled works very well. To bring experts from the field that can tell you first hand their experiences and share their success as well as their failures seems to me one of the pluses of the programme. As for the relevance of the programme itself, I would dare say that today, when we are discussing UN reform and when the Secretary-General was asked to reconsider the traditional notion of security and to increase the UN's role in preventing conflicts and on peacemaking, the relevance of the programme is even higher if compared with previous years."

"The programme worked through progressively to present the theory and then the application of those theories, and demonstrated in very concrete ways how to develop strategies and work through a process to implement that strategy. The case studies served to concretise the whole process. I have gained tremendously from this programme and have certainly added to my tool box."

"The theoretical content and the practical aspects were well researched and very relevant to current international realities. The organizers were exceptional in both their professional and personal interaction with participants."

"This programme has been extremely useful, generally for any practitioner in peacemaking. I found it to be very appropriate for UN staff in particular. The mix between theory and practice was good and allowed ample time for questions and answers. Finally, the way the programme was conducted allowed for a rich exchange of views, experiences and perspectives from all participants."

"This has been an extraordinary experience. It has indeed been a privilege to participate. Enlightening and enriching, the right mixture of theory and practice. Impressive performance by all speakers. Those who have served or are currently serving as mediators have indeed transferred valuable wisdom and guidance with regard to mediation techniques. The negotiations and mediation exercises have been very relevant. The programme provides training which should be deemed indispensable to all professionals in the fields of Diplomacy and International Affairs."

"The content of the seminar serves a two-fold purpose: training for UN staff working on peacemaking issues and to sensitize diplomats on how the UN works on the ground on these issues."

"This is an extremely interesting programme and it is a privilege to have been a part of it. The organizers and resource persons were exceptionally well prepared and every session contained a distinct added value. In that sense, it was a true learning experience. In my case, I developed a better understanding of concepts and terminology around peacemaking. The tools and techniques presented were also extremely useful. There was definitely a sense that participants learnt most from 'doing,' given an excellent foundation by the resource people."

"I came with an expectation of basically a theory program but I was positively surprised by the important amount of practical examples and exercises. For me this has been the short term most enriching formative experience I've had."

"I found the programme very useful, including the diversity of participants (UN staff and diplomats from missions and capitals). I also appreciated the de-briefing sessions that allow you to deepen the knowledge received. Theory and practice: both are given in an appropriate proportion and in general with a very precise focus."

"Inspiring!"



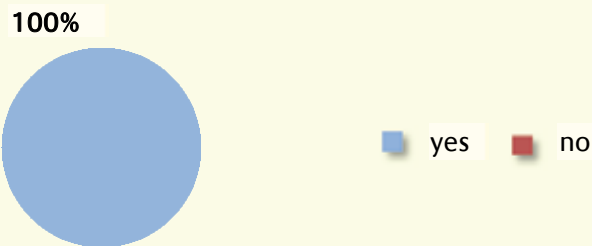
730 Fellows of the Fellowship Programme



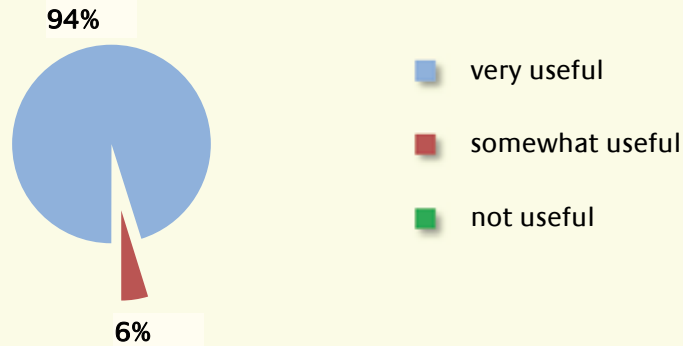
Responses from Long-term Evaluations

Every three years, long-term evaluations are sent to Fellows to ask them to comment on the usefulness of the programme to their work and to explain how they have used the skills and knowledge learned in their professional lives. Below is a summary of responses from the questionnaire portion of the most recent long-term evaluation:

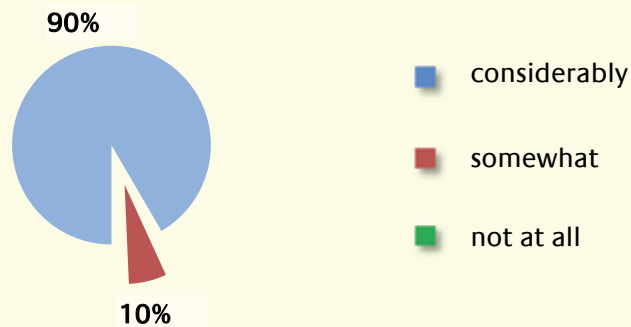
- I feel that the programme is valuable and should continue to be offered:



- With regard to my professional responsibilities, I found the UNITAR-IPI Fellowship Programme:



- I feel the programme increased my knowledge and skill in the area of conflict analysis, negotiation, mediation and general issues related to peace and conflict:



Below is a small sample of the many positive comments made on the long-term evaluations that we receive. They detail ways in which the programme has been useful to Fellows' professional activities. Professional affiliations are those at the time the evaluations were completed.

"During my work in my current position in Iraq, I am regularly involved in mediation and facilitation. The UNITAR-IPJ course provided useful inputs for several situations I encountered during my assignment."

Ambassador György Busztin, Deputy Special Representative of the Secretary-General, United Nations Assistance Mission in Iraq

"The UNITAR programme's training exercises and conceptual frameworks for conflict analysis and mediation are very valuable in my work where I focus on advising the UN Mission leadership on ways to promote dialogue and reconciliation in Haiti's highly polarized and unstable political arena."

Mr. Theodore Coonen, Political Affairs Officer
United Nations Stabilization Mission in Haiti

"I was inspired by the Fellowship Programme to address the gap in DPA's work with regard to gender/women, peace and security issues and subsequently took a sabbatical in 2009 to write a paper and make recommendations for the department in this regard. This led to my appointment as DPA's Gender Advisor in the Mediation Support Unit, where I have been involved in making and helping to implement policy to carry out gender mainstreaming strategies and realize women's full participation in DPA's conflict resolution and prevention efforts. Thus, the opportunity that the Fellowship Programme offered for reflection on practice has contributed to constructive policy change within DPA."

Ms. Lone Jessen, Gender Advisor, Mediation Support Unit
Policy and Mediation Division, UN Department of Political Affairs

"More than any one specific skill, it is the overall approach to negotiation which I have incorporated into my work. This includes a conscious effort to identify possible ways forward based on the prior identification of the precise needs of all parties involved in a negotiation. Also, the programme reinforced in my mind the need for utmost sensitivity, maturity, versatility, imagination, as well as intellectual skill, as keys to success. Finally, the programme provided me with a conceptual framework which has proven extremely valuable for my everyday work."

Ms. Jennifer Wright, Political Affairs Officer
UN Office of the Special Adviser to the Secretary-General on Cyprus

"As political adviser in charge of Early Warning to the Representative of the Secretary-General (RSG), I assist him in the planning and implementation of the political and security activities within the framework of the peace consolidation and national reconciliation through dialogue, good offices and reconciliation. The RSG is also requested to follow up the recent military development in Chad and tension between Chad and Sudan and the skills/knowledge learned in the Fellowship Programme are very useful."

Mr. Germain Brindou Kabran, Political Affairs Officer
The United Nations Peacebuilding Support Office in the Central African Republic

"The OIC is involved in peace, security and mediation issues in its member states as well as in issues related to Muslim communities and minorities in non-member states. Its position is to use conflict prevention techniques, in particular preventive diplomacy, to deal with peace and security issues. To this end, in cooperation with the UN Mediation Support Unit, the OIC established its own Peace, Security and Mediation Unit (PSMU). My participation in the UNITAR training course provided me the opportunity to contribute to the functions of this Unit. I have also recommended this training highly for the other members of the PSMU. The OIC has already sent a number of its officials for the training and all of them came back with a better understanding of preventive diplomacy and mediation issues. Their knowledge base was also sufficiently enriched."

Mr. Amanul Haq, Director and Head of the OIC Peace, Security and Mediation Unit,
Organization of Islamic Cooperation

"I deal with issues related to Turkey's mediation efforts as part of my job at the Ministry of Foreign Affairs. In this regard, the skills and knowledge that I acquired at the course are improving the quality of my work."

Mr. Ufuk Gezer, Head of Department, Policy Planning Directorate General
Ministry of Foreign Affairs of Turkey

"I am currently facilitating the Belize-Guatemala territorial dispute and use many of the conflict resolution tools and methods addressed during the programme. The vast amount of experience gathered at this training, coupled with the wide variety of backgrounds and contexts enabled highly rich exchanges and interventions during the different sessions that go far beyond what can be learned from the literature available in the field of peace and conflict resolution."

Ms. Magdalena Talamas, Chief, Peace Fund Unit
Secretariat for Political Affairs, Organization of American States

"Since I returned from the UNITAR Training Programme, I have been engaged in one form of negotiation/mediation or the other. I am currently a member of the National Security Council Coordinating Group which looks into all issues pertaining to the security of Sierra Leone and advises the National Security Council on the appropriate courses of action to take. Presently, we are engaged in negotiating a peaceful settlement to a looming border dispute between us and Guinea over an area called Tenga. The negotiating skills I learned are coming in extremely useful. The programme was great!"

Mr. Andrew Gbebay Bangali, Senior Permanent Secretary/Director
Ministry of Foreign Affairs and International Cooperation of Sierra Leone

"I have used my mediation and negotiation skills both within UNIFEM and in inter-agency work. The conflict analysis skills I have used mostly in my work with the Security Council as well as devising programmes for conflict-affected countries, specifically for Liberia, Sudan, Somalia and the Great Lakes Region over the past one and a half years."

Ms. Aina Iyambo, Policy Adviser, Peace and Security
United Nations Development Fund for Women

"I have often used the skills as a member of the Conseil d'Administration de l'École de maintien de la paix de Bamako; in dealing with the political crisis in my countries of accreditation; military coup in Mauritania; hostage-taking in Mali, etc."

Ambassador Jean-François Paroz, Head of Mission, Swiss Embassy in Dakar

“UNAMI (the UN Mission in Iraq) has been involved in the resolution of disputed internal boundaries, including the oil-rich city of Kirkuk. I used the skills and knowledge from the Fellowship Programme in developing mediation of power-sharing agreements in Kirkuk.”

Mr. Darko Mocibob, Senior Political Officer, Iraq Team Leader
UN Department of Political Affairs

“You will be pleased to learn that I have had at my work at the Inter-American Commission on Human Rights of the Organization of American States, the opportunity to apply daily as well as in major projects, what I learned at the seminar. There are attitudes and skills that I have internalized so thoroughly that they surface spontaneously, not through a conscious effort to ‘practise’ what we learned. For example, I was overtaken by the preparation of two large meetings, one in Guatemala and the other in Quito, Ecuador, to convene leaders of indigenous peoples of Central and South America, for discussion on the Declaration. The meetings went quite well, but I had to use everything I learned at the seminar to channel mini-explosions and to avoid large ones. Now I am facing new stages, including the process at the Permanent Council and the OAS General Assembly, and each day I consult my memories of the seminar to guide my decisions about it. As you can see, the experience of the seminar is now part and parcel of my daily life.”

Mr. Osvaldo Kreimer, Senior Lawyer, Inter-American Commission on Human Rights

“Although I was a participant in the UNITAR-IPA Fellowship Programme several years ago, I have often thought that I should let you know how valuable the programme has been for me—not only then, but as time has passed. It was clearly a pleasure to be a participant at the time, but only with further working experience can one fully appreciate the practical applications of the programme. In providing electoral assistance to many Member States, I work with government representatives, electoral commissions, political parties and international donors, all of whom have their own priorities and particular concerns. In many cases, my role has been to serve as coordinator and catalyst, seeking the participation of all major actors while ensuring that established standards for the conduct of democratic elections are met. It is in this context that the lessons of the Fellowship Programme have proved truly valuable. The programme defined a variety of conflict resolution tools such as third party intervention and mediation, which have proved very helpful to me at various times when seeking to move a difficult electoral process forward toward elections. In one country where I was actively involved, the electoral process almost collapsed and was saved through third party intervention. That country is now making real progress toward full-fledged democracy.”

Dr. Robin Ludwig, Senior Political Affairs Officer, Electoral Assistance Division
UN Department of Political Affairs

“I have benefited greatly both personally and professionally from the training I received. I cannot tell you how helpful the concepts which I learned and internalized in your programme have been to me; I have found the negotiating approaches and hypothetical scenarios presented in the programme directly applicable to my work. I am often called upon to represent and/or clarify the United Nations’ position. As a result of having attended your programme, this means that one must go beyond merely stating that position; I now know to elaborate the interests, concerns, motivations and purposes at stake for the Organization. I will continue to benefit from the experience and the wealth of knowledge I have gained from it.”

Ms. Mona Khalil, Legal Officer, Office of the Legal Counsel
UN Office of Legal Affairs

"I very much enjoyed and benefitted from the seminar that you so painstakingly and successfully organized and coordinated. The seminar helped expose me to the current approaches and writings on preventive diplomacy and peacemaking. All too often, we in the Secretariat find it difficult to keep abreast of the literature on these important subjects. There is also not enough interface between those who teach and write about preventive diplomacy and peacemaking and those that practise them. The seminar provides an indispensable bridge between the two groups."

Mr. Tayé-Brook Zerihoun, Senior Political Adviser, Africa I Division
UN Department of Political Affairs

"The seminar was very helpful both in theory and in practice. Two weeks after the seminar, I was deployed in Liberia on a short electoral-monitoring mission, where I had to negotiate with a local traditional 'devil' to let the UN vehicle go through his village. He was wearing an enormous black mask and was covered in straw and was very frightening. He was asking us who gave the permission to enter his village, while he refused to understand anything about the elections, the United Nations, the Security Council, the Liberian electoral authorities, etc. After realizing that the conversation was going absolutely nowhere, I was suddenly reminded to look for the 'underlying interest' rather than his position: he needed recognition and respect for his authority as the 'devil.' Once this became clear, the rest was amazingly easy. He even allowed me to take a picture of him. Never did I imagine I'd ever have to negotiate with a devil, but what a practical and direct application of the Fellowship Programme it was!"

Ms. Kaoruko Seki, Desk Officer, Africa I Section
Complex Emergency Division, UN Department of Humanitarian Affairs

"My responsibilities include Turkey's trilateral Ankara Summit Process initiative which involves fostering dialogue and a joint working culture among the various institutions and public bodies of Afghanistan and Pakistan. I have benefited from the skills and knowledge provided during the Fellowship Programme in understanding interests and finding mutually-acceptable solutions while working on this ongoing initiative."

Mr. Sadik Babur Girgin, Head of Department for Relations with Afghanistan and Pakistan, Ministry of Foreign Affairs of Turkey

"As Deputy Representative for UNHCR in Myanmar, I used the negotiation and mediation skills gained in my work with Government agencies and non-State groups to obtain greater access to IDPs in conflict areas. Similarly, the Fellowship Programme helped me develop humanitarian programmes that built local capacity and greater trust between UNHCR, its partners and the communities we were working with. The programme offers the opportunity for reflection that is sometimes difficult to find time for in our work and also develops important professional networks that can contribute significantly to the work we do."

Ms. Preeta Law, Senior Protection Coordinator and Chief of Section,
Division of International Protection, UNHCR

"In my functional duty, I am engaged in analysing the evolution in the Transnistrian conflict settlement process, as well as other conflict situations. Knowledge learned in the UNITAR programme was useful both in conducting dialogue with the actors and for general assessment of the interests and goals of different parties."

Mr. Vitalie Rusu, Director, OSCE and International Security Directorate
Ministry of Foreign Affairs of Moldova

“The Codification Division in the Office of Legal Affairs is often involved in the substantive servicing of bodies of the General Assembly in the progressive development and codification of international law. The tools and methods learned in Norway have enhanced my ability to provide advice in circumstances in which the various bodies which we service are required to overcome impasses in negotiations of texts among delegations.”

Ms. Darlene Prescott, Legal Officer, Codification Division, UN Office of Legal Affairs

“The Fellowship Programme was an excellent mix of theory, practical exercises, discussions and case studies. In my view, the speakers and all those who contributed to the substance of the seminar were brilliant. On top of it, they were also very good pedagogues. The mix of representatives of academia and practitioners with experience from the field was also first class. The material you circulated in huge, big folders (almost overwhelming!) was highly relevant. Much of it has been useful long after the seminar was closed. I feel you had been successful in selecting the right participants. Everybody seemed to be highly motivated, and thus contributed very strongly to the success of the seminar. The seminar was one of the best and most valuable I have participated in during my more than 20 years in the Foreign Service. I hope, therefore, that you will be able to ensure sustained and reliable funding in the years to come.”

Ambassador Fredrik Arthur, Ambassador for Women's Rights and Gender Equality
Ministry of Foreign Affairs of Norway

“In my work at the UN Bureau at the Department for Global Security, I daily encounter issues, questions and problems which were helped—directly or indirectly—by the UNITAR Programme in Oslo. I am actually still amazed by how many times I have reason to ‘revisit’ the course and draw on the lessons and sessions we had. Furthermore, and equally important, I still keep useful contact with many of the other participants in the course who are in the same position and field as myself.”

Mr. Mattias Lentz, Deputy Director, UN Bureau
Global Security Department, Ministry for Foreign Affairs of Sweden

“The course helped me contribute to the EU's input in UN affairs (as Head of Political Affairs for the EU Delegation to the UN); in particular I represented the EU in the UN Peacebuilding Commission where a good understanding of how to support implementation of negotiated agreements is essential. Back in Brussels, I have been involved in the setting up of the European External Action Service which has created a stronger conflict prevention and mediation capability (focusing work on early intervention, on natural resources and on confidence building) and has re-focused the role and mandate of EU Special Representatives, with a stronger focus on mediation, outreach and liaison with the UN.”

Mr. Cesare Onestini, Head of the Corporate Board Secretariat
European External Action Service, European Union

“Being a career diplomat in a delegation to the UN, I am actively involved in various negotiations in a multilateral setting dealing with preventive diplomacy, peacekeeping, peacebuilding (Bangladesh is a member of PBC). The UNITAR-IPI programme has provided me with useful knowledge and expertise which I did find immensely useful during the course of my professional functions.”

Mr. Muhammad Abdul Muhith, Minister, Permanent Mission of the People's
Republic of Bangladesh to the United Nations

"In my previous capacity as Special Assistant to the United Nations Assistant High Commissioner for Refugees, I had many opportunities to directly apply the things I learned in the UNITAR-IPA Fellowship Programme. My responsibilities included taking active part in negotiations on humanitarian issues (return of refugees, security access to victims, etc.) in the context of peace talks on the Nagorno-Karabakh conflict, in direct talks with the leadership of the Great Lakes region of Central Africa and many other issues of relevance to UNHCR. The principles and techniques of negotiation which I have learned during the Fellowship Programme assisted me greatly in carrying out my functions. Between March and August 1997, I was requested to join the Secretary-General's Team for the United Nations Reform composed of 12 members from different parts of the UN system. During the process of developing the comprehensive reform plan, I always kept in my mind the crucial linkage between preventive diplomacy, peacemaking, peacekeeping, humanitarian actions, human rights and development assistance, the issues which were discussed at the Fellowship Programme."

Ms. Izumi Nakamitsu, First Officer, UNHCR New York

"The lessons I gained in interest-based negotiation have been very helpful in my daily job, in terms of negotiating resolutions and statements on a multitude of issues from human rights to health to labour matters. We have been able to obtain consensus on win-win outcomes in many instances."

Mr. Syed Nouredin Bin Syed Hassim, Deputy Permanent Representative
Permanent Mission of Singapore to the United Nations

"Humanitarian diplomacy is a highly sensitive and negotiated process. The skills I learnt in the programme have not only helped in navigating this difficult territory but also in dealing with sensitive relations with individual representatives of partner agencies. You have to be in the humanitarian field to fully appreciate how competing agency interests have to be effectively balanced by a strong and effective coordination structure. The skills of this course have been so useful to me in this process."

Mr. Alfred Nabeta, Humanitarian Affairs Officer, Coordination and Response
Division, UN Office for the Coordination of Humanitarian Affairs

"The UNITAR course contributed to the development of a training programme custom-made for the Americas region. The curricula and training techniques were useful in designing the curricula for these courses. It has made a difference in my career."

Ms. Katalina Montana, Coordinator, Section of Institutional Strengthening in
Dialogue and Mediation, Organization of American States

"The principles of negotiation and peacebuilding have been extremely useful and important in my day to day work. It has been very useful to understand the key elements in a structured way as well as have the opportunity to practise negotiations skills. Further, the Programme was a great opportunity for me to listen to first hand experiences of negotiators and to learn from their experiences, an opportunity which is very rarely available. It was also a wonderful opportunity to interact with people of diverse backgrounds and to share experiences and perspectives in an academic environment disconnected from our day to day responsibilities. This invaluable learning opportunity has allowed me to evaluate where I stand in the operational objectives I am pursuing, and to reflect on whether I am addressing the issues in a way to maximize the benefits for the refugees and other persons of our concern."

Ms. Sakura Atsumi, Deputy Representative, UNHCR Uganda

“Indeed, the Fellowship Programme in Peacemaking and Preventive Diplomacy is extremely relevant to my work. My most recent trip was to accompany the former Secretary-General of the OAU on a mission concerning the proliferation of small arms in Senegal, Mauritania, Côte d’Ivoire, Niger, Burkina Faso, Chad and Cameroon. During the mission we met with Presidents, Heads of State, Army Chiefs of Staff, Foreign Ministers et al. As you could well imagine, this was an extremely delicate mission. There was not widespread agreement on the issue, its origins and the underlying reasons for such a proliferation. The techniques, processes and information imparted during the seminar came into play on many occasions. Eliciting the underlying causes of many positions was an extremely time-consuming and difficult exercise and I was, indeed, grateful for some of the exercises learned during your seminar.”

Ms. Lesley M. Wilkinson, Political Affairs Officer, UN Department of Political Affairs

“In crucial moments of my professional life as Permanent Representative of Angola, I often came back to the conceptual framework you provided. My election as the first African President of the Group on Situations has much to do with the skills I gained in applying the knowledge you administered.”

Professor Adriano Parreira, Ambassador,
Permanent Mission of Angola to the United Nations Office in Geneva

“In my daily work related to refugee protection in Costa Rica, it has been very useful to have good negotiation and coordination skills, specifically with the authorities who often see the refugee issue as problematic. As we do work with refugees from Colombia, it has also proven to be very important to be able to negotiate with groups of refugees about their rights and obligations.”

Mr. Jozef Merx, Representative, UNHCR Costa Rica

“I am responsible in my Mission for issues of global concern on the agenda of the UN General Assembly and Security Council related to implementation of Security Council Resolution 1325 on women, peace and security, children and armed conflict, human rights and democratization, humanitarian and social affairs. Recently, as Vice Chairperson in the Bureau of the United Nations Social, Humanitarian and Cultural Affairs Committee, referred to as the ‘Third Committee,’ I represented the interests of fifty-three African countries. I facilitated the Group’s resolutions and represented it in many endeavours. This task involved negotiating with other regional blocs with competing interests to resolve conflicts with meaningful outcomes. My participation in the Fellowship Programme has therefore been of tremendous benefit to my work at the UN.”

Ms. Divina Adjoa Seanedzu, Counsellor
Permanent Mission of Ghana to the United Nations

“I was one of the fortunate participants in the very first programme. Since then, I have been in contact with many of the participants who unanimously confirm that this particular fellowship programme made a definitive change in their approach to conflict prevention and resolution. The skills imparted to me helped me in steering two major regional consultations. The first was on immigration and refugees in South Asia (1993-1996) and secondly, the more complex consultation of Central Asia, South West Asia and the Middle East on displacement of populations. Presently, as Chief of Mission in charge of the complex emergency in Afghanistan, the important training I received in the Fellowship Programme has been of tremendous value.”

Mr. S.S. Wijeratne, Chief of Mission, UNHCR Afghanistan

Contributors

HIZKIAS ASSEFA is Professor of Practice of International Mediation and Reconciliation, Institute of Justice and Peacebuilding, Eastern Mennonite University; formerly Senior Distinguished Fellow, Institute of Conflict Analysis and Resolution, George Mason University. Over the past 25 years, he has been involved in political mediation and community reconciliation in the Horn, Central and West Africa, as well as in Afghanistan, Sri Lanka, Colombia and Guatemala. He has recently completed a mediation process for an armed political conflict in South Sudan. Prior to that, he served as part of the Kofi Annan mediation team to end the post-election violence in Kenya. His books include: *Mediation in Civil Wars; Extremist Groups and Conflict Resolution; Peace and Reconciliation: Meaning, Approaches and Implications on Conflict, Governance and Economic Growth* (in Amharic, being translated into English and French); and *Peacemaking and Democratization in Africa*.

DIANA CHIGAS is Professor of Practice of International Negotiation and Conflict Resolution, Fletcher School of Law and Diplomacy, Tufts University, and Co-Director of the Reflecting on Peace Practice Program at CDA, Cambridge, Massachusetts. She has worked with OECD-DAC on guidance for evaluation of conflict prevention and peacebuilding and with the United Nations on evaluation of peacebuilding and conflict prevention. Prior to joining CDA, Chigas worked as a facilitator, trainer and adviser in negotiation, dialogue and conflict resolution. She worked with the OSCE on strategies, training and advice on preventive diplomacy, and facilitated inter-ethnic dialogue in Cyprus and “track two” discussions in El Salvador, South Africa, Ecuador and Peru and the Georgia/South Ossetia peace process.

CHRISTOPHER W. MOORE is a Partner of CDR Associates, an international conflict management firm. An internationally recognized mediator/facilitator and designer of dispute resolution systems, he has worked in more than 50 countries. Moore has helped resolve ethnic differences in Eastern Europe and Asia; natural resource conflicts in Africa, Asia and the Middle East; development issues in Russia; and commercial disputes under the North American Free Trade Agreement. He has trained UN and AU staff and Foreign Service officers from around the world. He is the author of *The Mediation Process: Practical Strategies for Resolving Conflict* (Jossey-Bass, 4th ed., 2014).

JOHN PACKER is an Associate Professor of Law and Director of the Human Rights Research and Education Centre at the University of Ottawa. In 2012-2014, Packer was a Constitutions and Process Design Expert on the United Nations Standby Team of Mediation Experts, advising in numerous peace processes and political transitions around the world. He has previously held positions at Essex, Tufts, Cambridge and Harvard Universities, prior to which he worked for some 20 years for the UNHCR, ILO, UNOHCHR, and the OSCE High Commissioner on National Minorities and co-founded the Initiative on Quiet Diplomacy (IQd). Packer has advised numerous governments, IGOs and NGOs on matters of peace and security, conflict prevention and resolution, diversity management, constitutional and legal reform, and the protection of human rights, including minorities, and he has been widely published.

CONNIE PECK established the UNITAR Programme in Peacemaking and Conflict Prevention in 1993 and served as its Principal Coordinator for 15 years, developing a range of training programmes and seminars for senior UN staff and diplomats. This followed her tenure as a Special Consultant to the Australian Foreign Minister, Gareth Evans, where she explored ways to strengthen the UN's capacity in peacemaking and preventive diplomacy. In her retirement, she continues to serve as a Consultant to UNITAR, organizing the annual UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy. Previously, she was a Reader in the Department of Psychology at La Trobe University where, convinced that the discipline of psychology had much to contribute to the prevention of war, she established Psychologists for the Prevention of War as a national organization that was accepted as an Interest Group of the Australian Psychological Society. Later she founded the La Trobe University Institute for Peace Research and served as its Chairperson. She is the author or editor of 12 books and numerous book chapters and journal articles.

ANTONIA POTTER PRENTICE has lived in and worked extensively on conflict and post-war environments. She has worked directly with women and peace process actors in Afghanistan, Cambodia, the Democratic Republic of Congo, Libya, Indonesia, Myanmar, Nepal, the Philippines, South Sudan, Timor-Leste, Yemen, and at the global policy level. She is Co-Founder and Co-Managing Partner, Athena Consortium, providing gender technical support to peace process actors; Senior Manager on Mediation Support, Gender and Inclusion for the Crisis Management Initiative; and Senior Advisor to the Dialogue Advisory Group. She has worked for the European Peacebuilding Liaison Office and the Centre for Humanitarian Dialogue. She has been Country Director for Oxfam GB, Indonesia; Country Director for Concern Worldwide, Afghanistan and Timor-Leste. She sits on the board of the Democratic Progress Institute and has published widely on gender, peace and security.

TRISHA RIEDY is Manager and Senior Trainer, UNITAR Programme in Peacemaking and Conflict Prevention. She has worked with the UN for 19 years, strengthening conflict prevention, human rights, and development capacities, including serving in two UN peace missions—engaging in preventive diplomacy as a UN Observer in South Africa (UNOMSA, 1994) and conducting human rights education and organizing district-level elections in the UN peacekeeping operation in Cambodia (UNTAC, 1992-1993). She has also organized conflict resolution training with South African national student leaders, educators and peer mediators in the US and spoken and published on preventing violent conflict, and on sustainable development. She has managed educational, social and cultural programmes with refugees, immigrants, international students, government officials, and minority communities.

FRANCESC VENDRELL was EU Special Representative for Afghanistan between 2002 and 2008, following a long career with the United Nations, where he served as the Secretary-General's Personal Representative for Afghanistan (2000-01); Director, Asia and Pacific Division in DPA (1993-99), concurrently acting as Special Envoy for Cambodia, Papua New Guinea, Deputy Personal Representative for Timor-Leste and Senior Adviser on Myanmar. While Director for Europe and the Americas in the Office of the Secretary-General (1986-92), he was the Secretary-General's Deputy Personal Representative for Central America (Nicaragua, El Salvador and Guatemala conflicts). In 1992, he served as Special Envoy for Armenia and Azerbaijan on the Nagorno-Karabakh conflict. He has been Visiting Professor at Princeton's Woodrow Wilson School and is currently Adjunct Professor, School of Advanced International Studies, John Hopkins University and Senior Visiting Fellow, London School of Economics.

PETER WALLENSTEEN is Senior Professor of Peace and Conflict Research, Uppsala University (since 2012), Richard G. Starmann Sr. Research Professor of Peace Studies at the Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, USA (since 2006). He previously held the Dag Hammarskjöld Chair at Uppsala University, where he led the Department of Peace and Conflict Research (1972-1999). His *Peace Research: Theory and Practice* (Routledge, 2011) spans Wallensteen's research interests. He directs the Uppsala Conflict Data Program. His *Understanding Conflict Resolution* (Sage, 3rd edition 2012, also in Arabic) is used worldwide. He works on international sanctions, mediation, e.g., *The Go-Between: Jan Eliasson and the Styles of Mediation* (co-authored with Isak Svensson, USIP Press, 2010), quality peace, and international organizations.

ELEANOR H. WERTHEIM is Professor (Personal Chair), School of Psychological Science, La Trobe University, where she teaches psychological processes and skills, and developed the foundation postgraduate negotiation studies in the School of Law and Legal Studies. She has co-facilitated and been a resource person for the UNITAR-IPI Fellowship Programme in Peacemaking and Preventive Diplomacy since 1994 and served as a resource person in some of UNITAR's other peacemaking and peacebuilding programmes conducted in Senegal, Ethiopia, Zimbabwe and Thailand. Author of *Skills for Resolving Conflict*, she is on the national executive (former National Convenor) of Psychologists for Peace, an Interest Group of the Australian Psychological Society.

SUSAN T. WILDAU is a Partner of CDR Associates, an international conflict management firm. Wildau has worked on complex, high-stakes disputes for more than thirty years. She is a recognized expert in mediation/facilitation and development of non-judicial grievance mechanisms. Wildau has provided dispute resolution assistance to address international development, land and property, natural resources, social and environmental, and ethnic conflicts. Much of her current work focuses in the area of business and human rights, particularly in conflict sensitive areas. She has trained UN staff and diplomats and OAU diplomats, indigenous peoples' representatives, and foreign service officers from around the world.



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