



Conflict mediation

– Experiences and practices

The Uppsala mediation days

The evolving field of international mediation

– Reflections on the Uppsala mediation days 2008

Peter Wallensteen

The Uppsala mediation days were set up for 17 and 18 September 2008, highlighting the memory of two towering individuals in the field: Count Folke Bernadotte (who died on 17 September 1948) and UN Secretary General Dag Hammarskjöld (who died on 18 September 1961). There is a strong tradition of Nordic involvement in mediation in armed conflicts, at least since Bernadotte's time. Indeed, it goes further back, as shown by the awarding of Nobel Peace Prizes to Swedes and Norwegians before and after the First World War: Arnoldson, Branting, Lange and Nansen. There is continuous international resort to Nordic minds for difficult assignments, today reflected in Norway's innovation in the Middle East – the Oslo process – described in this volume by Ambassador Mona Juul, Sri Lanka and in humanitarian diplomacy; former Swedish Foreign Minister Jan Eliasson's recent assignment to the Darfur conflict and former Finnish President Martti Ahtisaari's achievements, notably in Aceh (see his contribution in this volume). Martti Ahtisaari also delivered the annual Dag Hammarskjöld Lecture on 18 September 2008.

The mediation days brought together a considerable number of prominent researchers and practitioners. The discussions were held in the presence of the Crown Princess of Sweden, Her Royal Highness Vic-

toria, who later demonstrated her concern for the subject area by majoring in peace and conflict studies for her academic degree at Uppsala University (June 2009).

The discussions of the mediation days were able to build on the historically unique frequency of peace agreements in recent decades. Since 1989 more than 150 peace agreements have been concluded for the purpose of ending armed conflict (Harbom et al. 2006, Wallensteen 2007). Previously, in the post-World War II period, there were only a handful of agreements. Indeed, historically, peace agreements have been associated with mammoth conferences such as those of Versailles (1919), Vienna (1814–15) and Westphalia (1648), which in fact described new world orders created by the winners of recently ended wars. The outcome of World War II is unique in the fact that there was no corresponding peace treaty. Instead, it appears, peace treaties have become terms for war-ending agreements concluded directly between the primary warring parties themselves, normally without major international conferences.

If we add to this that most of the wars in the post-Cold War period have been internal, it means that the peace agreements actually strive to bring together warring actors who are supposed to live together within existing states. This is no small order, and, furthermore, such expectations often come from countries which have fairly limited experience of solving their own recent internal wars in the same way. Thus, there is without doubt a new need for mediation and mediators. Consequently, there is also a need to develop the field of mediation study, making the mediators both the objects of research and giving mediators access to research results for their own pursuit of mediation.

Of course, the Nordic participation in the Uppsala mediation days also gave rise to reflections on the particular attraction of Nordic mediation. The consensus seemed to focus more on factors of credibility, competence, distance from the scenes, than on any particular Nordic approach to mediation. Mediation researcher I. William Zartman was willing to say that there was a Scandinavian ‘vocation’ for mediation, but maintained that other regions have also produced good mediators. Melanie Greenberg, likewise a non-Nordic participant, described the issue in her paper as a ‘straw man’ for discussion, but she pointed to some values underpinning the efforts studied during the deliberations: a concern for dignity, justice and voice. These are more difficult concepts, which have been less scrutinised in the scholarly world. There are projects underway, raising for instance the

issue of justice and its role in successful negotiations. Will the inclusion of matters of war crimes and truth commissions make negotiations more difficult and thus prolong wars (as some fear) or actually make agreements stick longer (once they are agreed) as they appear more ‘just’ and address ‘root causes’ of conflicts? The questions of dignity and voice both relate to a new challenge for mediation: the need to involve interests beyond those of the primary warring parties. Lately, peace mediation efforts have included more inputs from civil society (not least women’s organisations). Recent research suggests that a larger engagement also makes agreements more durable (Nilsson 2006, 2008).

Although the purpose of these days was to bring together the concerns of practitioners and academics there were discernable differences in perspectives. Typically, practitioners are concerned with the unique character of each case (Ahtisaari and Juul both pointed to this in their presentations) whereas the researchers are more likely to search for common traits and patterns. Indeed, both approaches are valid. Each conflict is unique in the way the parties formulate their demands, the way the mediator has to deal with the need for secrecy versus the importance of communication with the outside world, and how to organise the peace process (timing and sequencing options). The academics’ interest in matters such as bias (Svensson 2006, 2007) and leverage (as raised by several speakers) may have come as a surprise. However, all participants converged towards issues of justice and legitimacy/dignity. The difference in perspective is, of course, inherent, and informative. There are obviously far too few individuals who move between one role and the other: most stay in one position. However, the exchange is clearly beneficial for all, as Jan Eliasson in particular emphasised. His efforts of mediation have led him to lecture extensively on lessons learned, not the least in his capacity as visiting professor in Uppsala and Göteborg. In a forthcoming book, Eliasson’s mediation experiences are analysed (Svensson and Wallensteen).

It is obvious that the channels for mediation have proliferated during the post-Cold War period. The original idea of mediation as an activity at the highest level of diplomacy (Track I) has not only been complemented by secret negotiations on this level (e.g. the Oslo process) but also by varieties of Track II diplomacy with the resort to non-governmental actors either as pre-negotiations or parallel to Track I talks, as well as hybrids in the form of workshops and seminars, with mixed participation and different motives (building confidence, exploring options, raising consciousness). Some may be said to constitute a Track One-and-Half (Greenberg in this volume). The forms of negotiations have increased and there is little evaluation of whether

the form as such affects the outcome. The positive aspect is that more voices can have an impact, the negative that a warring party can resort to forum shopping: choosing the format and the mediator that gives the party the best deal. These are novel issues that mediation research is best able to examine, as the practitioner will be confined by the cases in which he or she is involved.

Successful mediation is also an issue which requires more scrutiny. Juul describes the Oslo process as a new approach; that is, one of directly connecting the parties without media presence. Thus, it contributed to enlarge the forms of mediation and inspired peacemakers elsewhere. The purpose was of course to find a solution to the Palestinian predicament. It had the advantage of coming directly after the first Palestinian intifada (which to some extent weakened the standing of Israel) as well as after the Gulf War (which weakened the Palestinian Liberation Organisation, the PLO). We still do not have a solution to this conflict, but neither was there a full-blown war as long as the process was going on. Thus, mediation may be a way of reducing violence and incentives for escalation and diffusion, if it does not always result in a lasting agreement. Success can mean different things.

The measurement of success depends on the mandate given to the mediator. It is seldom the final decision-makers who are themselves involved in the mediation. The warring actors always have a veto on the outcome, and even if the mediator is a president of a major state, the actors have their own will. Thus, the mandate of the mediator will restrict the mediator's options. Ahtisaari makes that clear in the description of his Kosovo mission, where he points to the guidelines for his work: no return to Kosovo's status pre-March 1999; that is, the inclusion of Kosovo in Serbia was not to happen. Logically, for the mediator there was no alternative solution for Kosovo beyond a form of independence. What the mediator could do, it appears, was to work for improvements for the Serb population in Kosovo. Thus, the mandate restricted his mission. This is a key aspect of mediation, but it is often missed in mediation research (not by Crocker et al. 2003, however). Thus, when the mediation missions of Jan Eliasson are analysed, this is a particularly salient point (Svensson and Wallensteen, forthcoming).

The Uppsala mediation days succeeded in venturing into a large set of issues pertinent to mediation in general, of relevance for mediation research and for mediation practice in particular. Thus, they constituted a meaningful tribute to the two mediators and statesmen that they served to commemorate, Count Bernadotte and Dag Hammarskjöld.

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