

IPI Blue Papers

# Mediation and Peace Processes

Task Forces on  
Strengthening Multilateral  
Security Capacity

No. 8

2009

INTERNATIONAL PEACE INSTITUTE



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## ACKNOWLEDGEMENTS

The International Peace Institute (IPI) owes a great debt of gratitude to its many donors to the program *Coping with Crisis, Conflict, and Change*. In particular, IPI is grateful to the governments of Belgium, Canada, Denmark, Finland, Greece, Luxembourg, the Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom. The Task Forces would also not have been possible without the leadership and intellectual contribution of their co-chairs, government representatives from Permanent Missions to the United Nations in New York, and expert moderators and contributors.

IPI wishes to acknowledge the support of the Greentree Foundation, which generously allowed IPI the use of the Greentree Estate for plenary meetings of the Task Forces during 2008.

## NOTE

Meetings were held under the Chatham House Rule. Participants were invited in their personal capacity. This report is an IPI product. Its content does not necessarily represent the positions or opinions of individual Task Force participants.

### Suggested Citation:

International Peace Institute, "Mediation and Peace Processes," *IPI Blue Paper* No. 8, Task Forces on Strengthening Multilateral Security Capacity, New York, 2009.

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## Foreword

We live in difficult times. Rapid socioeconomic changes, demographic bulges, and intertwined security crises are affecting us all, and most especially the poor. Criminal and violent organizations are gaining control over territory, markets, and populations around the world, complicating peacemaking and generating insecurity. States with ineffective and corrupt institutions prove too weak to deal with interlinked threats ranging from transnational organized crime to infectious disease. Meanwhile, the number of actual and aspirant nuclear-armed countries is growing, as is the likelihood that nonstate actors will acquire weapons of mass destruction through illicit global trade.

Global warming and environmental degradation particularly distress already impoverished regions. Fluctuating food and energy prices put people and governments to the test, while the demand for resources—notably water and energy—increases due to unprecedented development and population growth.

To this already gloomy picture, the year 2008 added tectonic shifts in the economic landscape. A devastating financial crisis is producing dramatic consequences with likely long-term impacts on economic development, aid, and emerging markets alike.

Yet, at a time when common efforts are needed more than ever, division and discord can be spotted in many multilateral institutions, from the United Nations to NATO and the European Union. Peace operations are under serious stress, while political disunity undermines the authority and effectiveness of the Security Council. The optimistic embrace of a “flat” world of responsible sovereign states is challenged by those who push for a return to exclusive state sovereignty and jealously guarded territorial integrity.

However, crises provide unparalleled opportunities for change. These moments are transitory, but they need to be seized upon to

put ideas into action, to strengthen the capacity to meet the challenges we face, which in today's globalizing world means more responsive, effective, and efficient multilateral mechanisms and policies.

In response to these challenges, IPI launched the **Task Forces on Strengthening Multilateral Security Capacity** in 2008. The purpose of these Task Forces was to suggest ideas for action to strengthen the capacity of the United Nations (UN) and its partners to deal effectively with emerging, multifaceted, and global challenges to peace and security. The Task Forces addressed not only the policy steps that are needed, but also the political and institutional strategies required to implement them. This strategic perspective has too often been the missing link in efforts to strengthen the UN system.

Given the links among security, development, and environmental challenges, the initiative opened with a symposium on Development, Resources, and Environment. The symposium provided a larger context for the work of the subsequent Task Forces, which focused on two core dimensions of the security concerns facing the UN and its partners: (1) Transnational Security Challenges and (2) Inter- and Intra-state Armed Conflict (see Annex 3 for details of the process).

The **IPI Blue Papers** are the product of this intense process of consultation, which engaged more than sixty UN member states, half of them at ambassadorial level, and seventy experts in a variety of thematic areas. It included the preparation of more than twenty-five background papers and fourteen multiday meetings. Each Blue Paper includes a section on why action to strengthen capacity in a particular area is needed and a section with ideas for action. The content is based on the Task Force discussions, but does not necessarily represent all the views articulated during the entire process. Although the institutional focus of the Task Forces was primarily the UN, this report aims to assist key stakeholders to prioritize and leverage the comparative advantages of the UN

and other multilateral institutions, including their ability to forge productive and sustainable partnerships with other groups and organizations.

While policy discussions on related topics are taking place in other fora, IPI brings to this initiative nearly forty years of constructive collaboration with the United Nations and its membership, as well as a more long-term strategic perspective than in-house and intergovernmental processes can offer. With these Blue Papers, IPI hopes to continue a process that will produce concrete steps toward stronger multilateral capacity in peace and security.

Despite the difficulties ahead, we believe that tomorrow's world needs more multilateral capacity, not less. It needs a stronger UN, capable of adapting and strengthening its capacity to address the realities of the twenty-first century. It needs a UN able to work with its partners and in particular with member states, which remain the first line of response to many of the threats discussed here.

This is the purpose of the IPI Blue Papers, and I am very pleased to introduce them to you.

Finally, I would like to thank most warmly the co-chairs of the Task Forces, the member-state participants, the experts, and IPI staff, without whose hard work and intellectual contributions the IPI Blue Papers would not have seen the light of day.

**Terje Rød-Larsen**

President, *International Peace Institute*

January 2009

## Acronyms

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ASEAN	Association of Southeast Asian Nations
AU	African Union
DPA/UNDPA	United Nations Department of Political Affairs
DPKO/UNDPKO	United Nations Department of Peacekeeping Operations
EU	European Union
GA	United Nations General Assembly
ICC	International Criminal Court
IFI	international financial institution
IPI	International Peace Institute
NGO	nongovernmental organization
SRSR	Special Representative of the Secretary-General
UN	United Nations
UNDP	United Nations Development Programme

## Executive Summary

Today more than ever before, armed conflicts are likely to end in mediated settlements. As mediation activity has surged since the end of the Cold War, its dynamics have undergone significant change as well.

New conflict drivers, such as climate change and organized crime, demand broader substantive agendas and the coordinated engagement of a wider range of mediators with specialized skills. To be successful, mediation processes need to be informed by an understanding of the broader regional context, given the frequent use of proxy forces in contemporary conflict. And to prevent a relapse into violence, mediation processes have to extend well beyond the cessation of open hostilities.

At present, the mandates and resources for multilateral mediation and related political analysis are often inadequate to meet these challenges. Recognizing that every mediation process has its own peculiarities and avoiding a one-size-fits-all approach, improvements can be made at the United Nations and beyond to strengthen the toolbox at the disposal of international mediators.

### IDEAS FOR ACTION

- I. **Strengthen the UN's peacemaking partnerships:** The UN Security Council and the Secretary-General should seek to build coalitions with regional organizations and relevant states to endow their peacemaking initiatives with funds and greater leverage. Envoys and representatives of the Secretary-General should maintain solid working relationships with these actors. The United Nations should redouble its efforts to build cooperation frameworks with regional and subregional organizations. These frameworks should establish day-to-day collaboration at the working-level, and provide for monitoring and regular evaluation of their implementation. The UN

should also enhance its relationships with nongovernmental peacemakers who are well qualified to mediate between conflict parties.

II. **Coordinate the multiple players involved in mediation:**

Peacemaking, peacekeeping, and peacebuilding efforts should be better coordinated with each other at headquarters and in the field, and mediation initiatives should be sustained throughout the process of implementing peace agreements. Mediators, or some core members of their team, should remain involved in the agreement's implementation. To endow UN mediators with greater leverage, and to facilitate coordination within the UN system, the mandate of special representatives of the Secretary-General should be bolstered and broadened beyond its current scope vis-à-vis UN country teams. The Secretary-General should conduct a systematic review of the mandates of his sixty-three special and personal representatives and envoys to address overlaps. When the Security Council adopts vague mandates, the Secretary-General should offer guidance to the Council on their operationalization. The Council should allow for more-interactive consultations with the representatives and envoys of the Secretary-General.

III. **Enhance multilateral peacemaking capacity and training:**

Mediators need access to technical expertise on a variety of complex topics salient during peace negotiations. Therefore, they should be equipped with a small team of technical experts on those issues. The Mediation Support Unit of the UN Department of Political Affairs should be further developed to serve as a helpdesk that connects mediators in the field to in-house experts and the academic and policy research communities on a global basis. The induction of envoys and representatives of the Secretary-General should be further improved. Conflict parties should be provided

with an induction into the conduct of negotiations when necessary.

- IV. **Pursue a more energetic regional approach:** In order to strengthen the UN Secretariat's regional situation analysis capabilities without creating new offices, the Secretary-General should task one of his representatives or envoys in each region with visiting regional capitals and providing cross-regional analyses of the conflict dynamics. The Security Council should organize its consultations more often by subregion than by country to encourage discussion on conflict spillovers to neighboring states, regional spoilers, and transnational security threats, and it could organize more retreats on regional conflict dynamics.
- V. **Seek early entry points for preventive diplomacy:** The Security Council could make more use of its instruments for preventive engagement under Chapter VI of the UN Charter. There may be situations in which the Secretary-General should use good offices to discretely engage in preventive diplomacy, either directly or through envoys, before informing the Council.





**WHY** ACTION IS NEEDED

## The Challenge of Mediation and Peace Processes

1. The international community continues to confront a number of hard choices in thinking through how it might best use the tool of mediation as a means to maintain or reestablish peaceful relations between conflict parties. The hard choices the international community faces relate to recent changes in conflict dynamics, fragmentation of authority, coordination gaps, consistency challenges, and deficits in mediation competency and capacity.
2. With the end of the Cold War, the number of armed conflicts dropped from fifty in 1990 to approximately thirty-five in recent years.<sup>1</sup> At the same time, the proportion of armed conflicts ending in negotiated settlements increased from one-third during the Cold War to two-thirds after its end.<sup>2</sup> These trends are encouraging, but they do not indicate a reduced demand for international mediation: comparative analysis has demonstrated that the risk of relapse into violence is in fact much higher when an armed conflict ends in a negotiated settlement than it is in the case of a military victory.<sup>3</sup>
3. What this suggests is a need to broaden our understanding of how and when the tool of mediation may be of use in managing conflicts. It is already widely recognized that effective mediation can serve as a tool for the prevention of the outbreak of conflict or the escalation of a crisis, and to negotiate the conclusion of a conflict already underway. But skilled mediators may also be needed after the conclusion of a peace agreement and the deployment of peace operations, to engage in continued long-term negotiation of implementation of that agreement.
4. This is all the more true given that the vast majority of contemporary wars are internal conflicts pitting communities

against one another. Knowing that very often they will have to continue living together in a common state makes civil-war parties extremely suspicious of each other, rendering internal armed conflicts particularly difficult to resolve, and making the need for ongoing mediation all the more pressing.

5. More and more, violent conflict can be associated with a breakdown in governance in a particular area (i.e., relating to land and resources, economics, discrimination against minorities) rather than aggression between states. If governance failures are ignored for too long, frustration can increase and at times lead to violence. Preventive diplomacy should be used with greater frequency and in a timely manner, before it is too late to forestall breakdowns of public order without more intrusive forms of international engagement. The mediation initiative involving Kofi Annan, the African Union, and the United Nations after the postelection violence in Kenya in late 2007 and early 2008 exemplifies how effective diplomacy can prevent a further escalation of a serious political crisis before it turns into a protracted armed conflict.
6. New drivers of armed conflict have emerged in recent years, posing additional challenges to peacemaking. Climate-change-induced drought is intensifying conflict over water use and available arable land, as we have already seen in the case of Darfur. This complicates political negotiations through the need to incorporate economic development policies that mitigate the negative effects of climate change. Rapid urbanization, in connection with growing socioeconomic inequalities within many societies, increases gang-led urban violence that can destabilize local and national governments. This kind of social violence has proved difficult to address through traditional track-one peace processes.

7. One crucial choice for mediators relates to the questions of neutrality and impartiality. Should mediators remain neutral by seeking to maintain equidistance between the conflict parties under all circumstances? Or should they aspire to be impartial, applying the same standards to each party and countering those who cross the red line? Peacekeeping experts frequently underline the importance of the UN remaining neutral in armed conflicts in order to avoid putting blue helmets at risk. Their concern stems from the bitter lessons learned in Somalia and elsewhere, when UN peacekeepers were targeted by one conflict party that perceived the world body as partial toward the other factions. Others warn of a polarization and distrust of, and within, the United Nations if its work is perceived as biased.<sup>4</sup> At the same time, peacemaking processes can never be entirely neutral. First, the political resolution of a conflict at a given point in time may benefit some actors more than others (particularly those reaping profits from war economies). Even UN engagement that appears to be impartial may in practice promote the interests of one side over those of the other (e.g., no-fly zones or “safe areas” in Bosnia).<sup>5</sup> Second, the UN Security Council is a political organ whose members cannot be presumed to be neutral in relation to all conflicts on its agenda. Most importantly, the UN seeks to promote the purposes and principles enshrined in the UN Charter. When some conflict parties violate principles of the Charter, including the respect of one country’s territorial integrity and the rejection of impunity for mass atrocities, the Council, UN mediators, and peace operations should not maintain neutral equidistance between the parties. This conclusion was captured in the Secretary-General’s report on the fall of Srebrenica, which deplored errors of judgment by UNPROFOR that were “rooted in a philosophy of impartiality wholly unsuited to the conflict in Bosnia.”<sup>6</sup> The Council should avoid double-standards by holding all parties to the same norms and by

acting energetically when either of them crosses a red line. Thus, the Council will sometimes have to adopt peacemaking mandates that are biased against spoilers. This creates specific challenges for UN mediators who implement these mandates. The peacemakers need to act impartially—not neutrally—within the confines of the mandate, working toward the objectives defined by the Council in pursuit of the purposes and principles of the UN Charter.

8. Making hard choices between those alternative approaches has become more difficult for mediators due to a fragmentation of mediating “authority” in recent years. There has been a proliferation of international mediation during the post-Cold War era. UN peacemaking initiatives increased nearly fourfold, from four in 1990, to fifteen in 2002.<sup>7</sup> Yet, during the same period, the field of peacemakers has become increasingly crowded, now comprising mediators as diverse as the intergovernmental Association of Southeast Asian Nations (ASEAN) and the nongovernmental Centre for Humanitarian Dialogue. In recent years, the increasing activity of regional actors has also started to limit the space for UN peacemaking, as in Kenya and Myanmar. A reassertion of traditional views on national sovereignty among many member states and warring factions has also blocked some avenues for UN mediation, as evidenced by the crises in Zimbabwe and Georgia.
9. Nongovernmental and regional actors who have displayed growing interest in mediation can bring unique comparative advantages to bear on peace processes, either as impartial experts or as neighbors and peers. At the same time, the surging number of simultaneous peacemaking attempts places a premium on leadership and coordination. When coordination among peacemakers is missing, the conflict parties can play mediators against one another and reluctant factions may conceal their belligerent intentions by going

“forum shopping,” buying time to rearm. Uncoordinated mediation attempts may harm existing peacemaking initiatives, discrediting sensitive proposals by introducing them at the wrong moment. Imprudent public proposals from self-appointed mediators may also contribute to exaggerated expectations among the constituencies of conflict parties, making it more difficult for them to accept compromises.

10. Some peacemakers are not only motivated by the desire to resolve the conflict, but may also seek a personal legacy, to cater to a domestic audience, or to promote national or institutional interests. A competitive dynamic that has developed in the increasingly crowded field of peacemakers makes coordination particularly difficult.
11. In an ideal world, there would be a gatekeeper in any given peace process who could achieve coherence among peacemakers and assign a leadership role to one mediator. However, the matching process between conflict parties, mediators, and third parties supporting a peace process involves a number of actors, often rendering it very difficult to identify such a gatekeeper. Consequently, prospective peacemakers, including the Secretary-General and his representatives and envoys, need to carve out a role for themselves when they decide to become engaged in a peace process. This creates hard choices for them on whether, when, and how to enter a mediation process.
12. Many factors determine who should assume a mediating role, including the parties' preference, the availability of an appropriate peacemaker with sufficient staying power, and the willingness of the international community to support the mediator. During different phases of a conflict cycle, different types of mediators and mediation may enjoy a comparative advantage.<sup>8</sup> When violence is minimal or has not escalated, the main challenge for mediators is to establish direct communication between the parties

when they have not yet experienced the cost of armed conflict. In those situations, informal interventions below the radar of the media may hold the best prospects of success. During this phase, it is often crucial for mediators to guarantee the confidentiality of talks between conflict parties. Nongovernmental institutions or elder statesmen may be more suited for maintaining confidentiality than the UN or other international organizations.

13. A high or rising threat of violence typically indicates that the parties continue to believe that they can gain more from continued fighting than they can through negotiations. At this stage, mediators who can offer incentives or apply coercive power will likely be more effective than private actors. This includes the UN, with the Security Council's authority to establish mandatory sanctions and peace operations, as well as states willing to utilize considerable political and economic influence in the conflict region to promote peace.
14. Protracted ongoing conflicts require mediation by different types of mediators that work in concert to lend their comparative advantages to the peace process. Often the most promising strategy may be to sequence covert negotiations mediated by a nongovernmental institution and public talks under the auspices of a mediator with strong leverage, such as the United Nations or regional organizations. The division of labor between the Conflict Management Initiative and the European Union as, respectively, negotiator and guarantor of the Aceh Peace Agreement provides one example of the complex interaction between different types of mediators during different phases of a negotiation process. Such a strategy entails hard choices for the Secretary-General and the Security Council: under which conditions should they lend the legitimacy of the UN to a negotiation process jointly

conducted with others? Which nongovernmental mediators qualify as partners for the UN?

15. Consistency between different mediators acting during different conflict phases or at the same time is a major challenge. Consistency problems are particularly salient during multiyear peace processes in which elements of the potential agreement are devised at different stages of the negotiation. While mediators need to have clearly defined objectives at the start of their intervention, it is also difficult, if not impossible, for them to lay out a rigid plan for peace at the outset. As the peace process advances, there may be changes in the balance of power and in alliances. Mediators have to feel their way through the peace process and continuously adjust their mediation strategy. When multiple mediators operate at the same time, they are confronted with conflicting imperatives to operate consistently with each other and to be flexible vis-à-vis the parties' changing positions.
16. During the implementation phase, the conflict parties often disagree on what they were required to do under the accord. International actors facilitating the implementation can only resolve such disputes if they have access to an impartial institutional memory of the terms of the settlement, its negotiating history, and tacit understandings. Inadequate coordination between UN departments working on the implementation of the peace agreement, and UN agencies and international financial institutions (IFIs) supporting the peacebuilding process may hamper the prospects of attaining the milestones set out in the agreement. Too often, consistency between the priorities of the peace agreement and those of the peacebuilding programs of IFIs and various UN bodies has not been sought. At present, too little interaction takes place among peacemaking, peacekeeping, and peacebuilding efforts at UN headquarters related



to the implementation of a peace agreement. Moreover, there is room for improvement in the interface between peacekeeping, peacebuilding, and peacemaking in peace operations. Remedying those deficiencies would not require establishing new institutions but adjusting some lines of authority and responsibility. Special Representatives of the Secretary-General (SRSGs) currently only have the mandate to provide guidance to country offices with different lines of reporting.

17. When mediators receive vague mandates, consistency problems can emerge. In these situations, the Secretary-General can play a key role in clarifying and operationalizing mandates. The UN's verification of the withdrawal of Israeli forces from southern Lebanon in 2000 constitutes a good example of close coordination between the Security Council and the Secretariat. In some situations where there is a deadlock in intergovernmental organs, the Secretary-General may be able to overcome the impasse by using his good offices in the absence of a detailed mandate. When the potential benefits and political risks of those actions are difficult to assess, the Secretary-General confronts hard choices.
18. Since the end of the Cold War, the number of envoys and representatives of the Secretary-General has risen dramatically, from ten to sixty-three. This has occurred largely in an ad hoc manner, with overlap of mandates increasing as well. It has also created a greater need for coordination among, and oversight of, UN actors in the field.
19. At present, multilateral peacemaking capabilities at the United Nations and regional organizations often confront shortcomings in their situation analysis capacities, in the training and selection of high-level negotiators, and in the mediation support infrastructure available to them. The recent creation of forty-nine new posts within the Depart-

ment of Political Affairs (DPA) by the General Assembly closed some capacity gaps within the UN Secretariat.<sup>9</sup> Prior to this reform, the Africa I Division of DPA had just eleven political affairs officers covering twenty-six countries, including complex conflict zones, such as the Horn of Africa and the Great Lakes Region. Once the enhanced capabilities of DPA become fully operational, its ability to conduct in-depth conflict analyses will be significantly strengthened. At the same time, given political pressures from UN membership, DPA may face additional constraints in conducting political analyses, even simply for internal use. Independent institutions, such as the International Crisis Group, may face fewer political pressures and outside influences.

20. In many conflict zones, there are no multilateral mechanisms providing holistic analyses of regional conflict dynamics to peacemakers or the secretariats of international organizations. The country offices of UN agencies provide fragmented information on interconnected problems, though they may sometimes be reluctant to share information with other bodies of the UN system. Recent proposals to rationalize the field presence of DPA through the establishment of a limited network of regional offices have triggered mixed reactions from member states. Many stressed the need to avoid capacity duplications and a piecemeal approach to creating new regional offices, and the General Assembly emphasized that their establishment requires the concurrence of all concerned member states covered by their mandate.<sup>10</sup>
21. At present UN mediators lack systematic access to other forms of expertise. All mediators need to have access to technical expertise on complex issues salient during peace negotiations—ranging from land reform to constitution-writing. Quickly evolving international standards for transitional justice, terrorism, and other issues make it all

the more challenging, and also imperative, for mediators to have advisers with technical expertise. In the past, numerous mediators have lamented the lack of specialized mediation support. To address some of these shortcomings, the Secretary-General recently asked the Department of Political Affairs to develop a multiyear program to provide better operational support to mediation.<sup>11</sup> The recent creation of a Standby Team of Mediation Experts and a roster of experts available for ad hoc technical assignments by DPA's Mediation Support Unit has also enhanced the support available to UN mediators. While the mediation experts can deploy to the field at short notice, they can only address a limited set of conflicts at any one time.

22. Ultimately, the character, talent, and skills of the individual mediator are of crucial importance for the success of a peace process. Soon the United Nations will be confronted with a generational shift, and senior mediation experts drawn from diverse geographical backgrounds will be needed. As the older generation exits the stage, their profiles will not be easily replicated, so an investment may be needed to develop a new generation of top-flight international mediators.



**WHAT** SHOULD BE DONE

## Ideas for Action

23. In each crisis situation, the United Nations and its partners need to carefully decide which peacemaking strategy holds the best promise of success. Varying conflict settings require different approaches to peacemaking, rather than an adherence to the dogmatic belief that a specific strategy will always work best. The choice of a peacemaking strategy should be informed by an analysis of the balance of forces in the conflict region, the intentions and capabilities of relevant actors, and their likely political moves under different scenarios.
24. All mediators face four critical choices relating to the design of a peace process: Should the process start with “under-the-radar” prenegotiations or with high-level meetings? Is it better to conduct the negotiations openly or covertly? Should the mediator seek a comprehensive agreement or a series of agreements gradually addressing the issues at the core of the conflict? Should the mediator act as a go-between or put forth proposals for an agreement?
25. Prenegotiations can help generate trust between the conflict parties and the mediator when each side is deeply suspicious of the other’s intentions. Starting a negotiation process with overt talks often creates the risk that the parties will use the media limelight to speak to their own constituency instead of making difficult concessions to the other side. In the Middle East conflict, for example, the Annapolis process was conducted openly without prenegotiations, whereas the Oslo peace process started with private talks in small groups. The Annapolis negotiations sought to attain a comprehensive agreement on the core issues underlying the dispute. Thus, they reflected an absolutist approach to mediation, as opposed to a gradualist strategy that seeks a progressive settlement of all elements of the dispute over a period of time. The

Oslo peace process was based on a gradualist peacemaking strategy. Rather than trying to resolve all issues at once, the parties adopted a declaration of principles which served as guidance for future agreements on the most difficult issues. The Oslo peace process also gave the parties control over the negotiations. Contrarily, the Road Map developed by the Middle East Quartet was not negotiated with the conflict parties but presented to them. These examples illustrate the wide range of possible peacemaking strategies. The UN and its partners confront hard choices when they seek to identify the most promising strategy to resolve a crisis.

## I. STRENGTHEN THE UN'S PEACEMAKING PARTNERSHIPS

26. **Strengthen leverage through partnerships:** The Security Council and the Secretary-General should seek to build coalitions with relevant states and regional organizations to endow their peacemaking initiatives with funds and leverage. Access to the leverage of relevant powers on conflict parties is essential for effective mediation. The Contadora Process in Central America and the mediation process in Burundi illustrate that it often takes the support of relevant states from the region to exert leverage on the parties in conflict. The Middle East Quartet—comprised of the European Union, Russia, the United Nations, and United States—exemplifies how the UN should sometimes act in alliance with great powers during a peace process to benefit from their leverage on conflict parties.
27. Representatives and envoys of the Secretary-General should seek to build solid working relationships with the Security Council, as well as with relevant governments of regional and global powers. This allows representatives and envoys to leverage the support from key states for their peacemaking initiatives vis-à-vis the conflict parties.

28. **Keep “groups of friends” small:** Groups of friends engaged in peacemaking should be kept from becoming too large to work discretely and effectively. The groups of friends with no more than half a dozen members and a strong interest in reaching a peaceful settlement have proved the most successful in mediating conflict settlements.<sup>12</sup> Other states could become involved through “concentric circles” of friends, gravitating around the core group. Only during the implementation and peacebuilding phase should group size increase to facilitate coordination among all donors.
29. **Build and implement cooperation frameworks:** The United Nations should redouble its efforts to build cooperation frameworks with regional and subregional organizations. Those cooperation frameworks should aim at strengthening the regional and subregional organizations’ peacemaking capabilities, at enabling collaboration in joint conflict assessment through desk-to-desk dialogue, at facilitating coordination in multiparty mediation, at sharing best practices and lessons learned, and at conducting training exchanges. They should seek to expeditiously translate cooperation from the political level to day-to-day collaboration at the working level. Progress in implementing cooperation should be monitored and regularly evaluated. The 2006 “Framework for the Ten-Year Capacity-Building Programme for the African Union” could serve as a model for strengthening cooperation between the United Nations and other regional and subregional organizations.
30. **Strengthen partnerships with nongovernmental mediators:** The Department of Political Affairs should strengthen partnerships with nongovernmental peacemakers who are well-qualified to mediate between conflict parties. In many conflicts the best way to initiate talks between the parties is via “safe talks,” informal prenegotiations which take place outside the media limelight. Due to their relative low



profile and higher degree of confidentiality, nongovernmental actors are in a better position than the United Nations to mediate these “safe talks.” The Secretary-General should cultivate relationships with such mediation initiatives. This would allow the UN to informally reassure the parties of its willingness to help implement a future deal if it is consistent with the principles of the UN, as well as to communicate those principles to the parties and mediators. The UN could take over from nongovernmental peacemaking initiatives at a point when its resources, leverage, and legitimacy can help provide incentives for the conflict parties to conclude an agreement. As a first step toward putting this into practice DPA’s Mediation Support Unit should strengthen and maintain the roster of capable nongovernmental mediators.

## II. COORDINATE THE MULTIPLE PLAYERS INVOLVED IN MEDIATION

31. **Clarify who’s in charge:** All institutions providing mediation in a conflict at a given time should be in agreement on who is leading the mediation process. The leadership displayed by Kofi Annan in the multiparty mediation process in Kenya translated into great success in the peacemaking initiative there. If there is no agreement among mediators on leadership, they will likely display competitive behavior that may harm the peace process.
32. **Strengthen the leadership role of SRSGs:** During peace processes, UN mediators should strategically use the incentives available across the UN system, including promises of postconflict reconstruction aid by the UN Development Programme (UNDP) and other funds, programs, and agencies. One way to realize the potential of their leverage would be to strengthen the role of the UN mediators vis-à-vis the country offices of UN agencies. The mandate of special and executive representatives of the Secretary-General to

provide guidance to country offices of UN agencies should be bolstered and broadened beyond its current scope.

33. **Review the mandates of representatives and envoys:** The Secretary-General, in consultation with the Security Council and the General Assembly, should conduct a systematic review of the mandates of his representatives and envoys, their overlap, and their relationship with the Security Council. In this context, the General Assembly recently called on the Secretary-General to explore potential synergies and complementarities among special political missions, where possible.<sup>13</sup> When it would be too perilous for a field-based special representative to handle an extremely sensitive situation, it may be necessary for the Secretary-General to appoint both a representative and an envoy. In that case, the envoy can perform certain tasks assigned to the Secretary-General by the Security Council from UN headquarters where he or she is less likely to be intimidated and threatened than in the field.
34. **Allow for continuity of personnel from peacemaking to peacekeeping and peacebuilding:** A smooth transition from the peace negotiations to the implementation of the agreement requires a thorough and proper hand-over between mediators and actors engaged in peacekeeping and peacebuilding. It often requires the continued involvement of mediators, or core members of their team, in the UN field presence after the signing of the agreement. The Secretary-General recently included this recommendation in his report on enhancing mediation and its support activities.<sup>14</sup> Retaining core members of the team that mediated the agreement provides an institutional memory of the peace process for the agreement-implementation process. Members of the original mediation team have a unique ability to provide objective information about tacit understandings between the parties. This institutional memory is often crucial for

resolving disputes between the parties on the terms of the agreement. The continued involvement of mediators familiar with the parties may also facilitate negotiations on lacunae or ambiguities in the original agreements, or on issues that arise after the agreement.

35. **Solicit debriefings from all senior peacemaking mission staff:** DPA should request an end-of-assignment report, and conduct an end-of-assignment interview, with all senior members of a UN mediator's team leaving a mission. As things stand, such reports and interviews by senior peacemaking mission staff are not done systematically. Thorough debriefings contribute to an institutional memory on UN mediation that benefits the successors of departing mediation experts and senior UN peacekeeping and peacebuilding experts who may become involved at a later stage in the peace process.
36. **Conduct more-interactive Security Council consultations with mediators:** In the overall reform of the Security Council's working methods, special attention should be devoted to allowing for more-interactive consultations with representatives and envoys of the Secretary-General. In addition to the prepared statements and questions and answers, they should allow for more discussions.
37. **The Secretariat should provide guidance on how best to fulfill overly vague mandates:** The operationalization of mandates remains a challenge, especially when they are too vague. The Secretary-General and his representatives and envoys can play an important role in offering guidance to the Security Council on the operationalization of its mandates. For instance, to fulfill the mandate to verify the withdrawal of Israeli troops from southern Lebanon, the special envoy of the United Nations Secretary-General delineated the border on paper and in the field, and submitted a report to the Council that unanimously endorsed it.

### III. ENHANCE MULTILATERAL PEACEMAKING CAPACITY AND TRAINING

38. **Further enhance the process of selecting representatives and envoys:** In the selection of representatives and envoys of the Secretary-General and in the written job description, the applicant's mediation skills and experience should be given priority. The Secretary-General should encourage member states to submit rosters of potential candidates who are of significantly high stature and to update rosters periodically.
39. **Improve induction for representatives and envoys:** Representatives and envoys of the Secretary-General bring rich political or diplomatic experience to their positions. While they do not need mediation training, they would benefit from more lessons-learned exercises and induction seminars on specific topics such as how to deal with the media or with different types of spoilers. In crisis situations there is a pressure to deploy new representatives immediately after their appointment. In these situations, it may be useful to accompany the UN mediator with an expert from UN headquarters, particularly from the regional divisions at the Department of Political Affairs, who can brief him or her during the first days or weeks on the job. A handbook on UN mediation for incoming representatives and envoys of the Secretary-General could also help them work more effectively from day one.
40. **Equip mediators with a small team of mediation experts:** Representatives and envoys of the Secretary-General need access to technical expertise on a variety of complex issues salient during peace negotiations.<sup>15</sup> These may include issues ranging from land reform and constitution-making to transitional justice. Therefore, UN mediators should be equipped with a small team of technical experts with different areas of expertise. Those experts can be seconded from UN

headquarters, or research, academic, and nongovernmental organizations without additional costs to the UN system.

41. **Develop a helpdesk for mediators:** The Mediation Support Unit of the UN Department of Political Affairs should be further developed to serve as a helpdesk staffed with technical experts on a variety of subject areas of high relevance to mediators in the field. It should also link peacemakers to experts from the academic and policy research communities around the world. Access to this service should be available to UN envoys and representatives and mediators affiliated with its partners, including regional organizations and nongovernmental institutions. Moreover, DPA should encourage better use of the Mediation Support Team that was established in 2008. It should also continue efforts to further refine the strategic vision for this new mediation support facility.
42. **Train the mediator's team:** The experts who form the small team of a UN mediator should receive regular training. The provision of training to the mediator's team would ensure that the mediator has access to topical information on a variety of quickly evolving international standards and policies (e.g., in the areas of transitional justice and counterterrorism). Due to their critical role within the UN mediator's team, ensuring adequate training for chiefs of staff should be a priority. The UN Secretariat should work closely with academic institutions and think tanks that can provide specialized training courses to its staff. DPA should continue its efforts to form a core group of well-trained mediation experts that can be deployed to support UN mediators as necessary.
43. The Secretariat should enhance the attractiveness of peacemaking as a profession to draw the right people to a job that often involves personal risk and extended absences from one's family. Field experience should be seen as career-advancing, and young talent should be nourished.

44. **Provide conflict parties with communications support and an orientation on the conduct of negotiations:** The UN Secretariat and nongovernmental organizations should provide conflict parties with introductions to the conduct of peace talks, if necessary, so they become more familiar with negotiations and know better what to expect from them. Organizations such as the Centre for Humanitarian Dialogue and the Crisis Management Initiative provided such training to groups involved in negotiations in Darfur and Aceh. On a case-by-case basis, training providers need to find the delicate balance that provides an orientation that is in the overall interest of the peace process without potentially improving the rebels' capability to tilt the outcome of the negotiations in their favor.
45. Under certain circumstances communications equipment should be provided to some groups involved in the peace processes, so mediators can interact with them. For instance, the lack of communication channels posed problems in peace processes in northern Uganda, Aceh, and elsewhere. Communication devices can be technically modified to prevent their use for any purpose other than interacting with the mediator. Most often, members of a group of friends, or nongovernmental organizations involved in a peacemaking initiative, would be in the best position to provide such equipment.

#### IV. PURSUE A MORE ENERGETIC REGIONAL APPROACH

46. **Improve regional analysis capabilities:** The UN Secretariat should establish regional analytical capabilities that can provide holistic analysis of regional conflict dynamics. These regional focal points could overcome the current fragmented analysis that tends to result from the silo structure of the UN system. Rather than creating new offices, it would be

preferable to give one SRSB in each region the mandate to report on regional dynamics. By visiting all regional capitals, he or she could observe the strategies and actions of key political players in the conflict region and analyze conflict dynamics. Those analyses would be reported to the Secretary-General and, either through him or directly, to the Security Council and the General Assembly.

47. **Assign subregional mandates to UN mediators:** To address today's armed conflicts, which are predominantly intrastate conflicts with proxy dynamics, a combination of regional, national, and local approaches to peacemaking is needed. One way to improve the understanding of such conflicts would be to more frequently assign subregional, instead of national, mandates to representatives or envoys of the UN Secretary-General. The recent appointment of a Special Representative to the Central African Republic and Chad provides an example that could be replicated in other areas.
48. **Place more subregional items on the Security Council's agenda:** The UN Security Council should organize its agenda more often by subregion, rather than by country alone. There is a need to work in a more comprehensive way to address conflict spillovers to neighboring states, regional spoilers, and transnational security threats. The Security Council should also organize informal retreats on regional conflict dynamics featuring discussions with representatives and envoys.
49. **Make effective use of regional analyses by expert panels:** The Security Council could also make more frequent use of panels of experts which have served successfully as instruments to analyze and highlight the regional dynamics of armed conflicts in Angola, Sierra Leone, and elsewhere.

## V. SEEK EARLY ENTRY POINTS FOR PREVENTIVE DIPLOMACY

50. **Strengthen Security Council emphasis on Chapter VI:** The Security Council could more frequently use its instruments for preventive engagement under Chapter VI of the Charter. These include conducting visits to countries engaged in deteriorating low-level conflicts, issuing demarches, interacting with regional organizations and other actors with influence on the parties, and encouraging and supporting the timely use of the good offices of the Secretary-General.
51. **Use discretionary good offices:** When the Security Council is unable to reach agreement on the response to an impending or acute crisis there may be situations in which the UN Secretary-General should use good offices to discretely engage in preventive diplomacy, either directly or through envoys, before formally informing the Council. In such cases, he may choose to informally communicate his planned discretionary use of good offices to the Council or its president. While he risks being criticized if he fails, he also seizes a chance to settle an impending crisis before the conflict stakes rise.

## Conclusion

52. In conclusion, the United Nations and its partners will need to put a premium on early and coordinated engagement, to pursue a more energetic regional approach, and to match their tasks with adequate authority and capabilities. Specific adjustments of lines of authority and responsibility, gradual changes in the working methods, and certain investments in capability and training would allow the United Nations and its partners to further enhance their ability to prevent and resolve deadly conflict through mediation.



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## Annex 1: Background Non-paper

JUNE 6, 2008

### Introduction

- With the end of the Cold War, the number of violent conflicts worldwide declined rapidly, dropping by approximately 40 percent between 1992 and 2005.<sup>1</sup> High-intensity wars (those claiming 1,000 or more lives per year) declined by a staggering 80 percent over the same period.<sup>2</sup>
- At the same time, more wars ended in negotiated settlements than had been the case in previous decades. During the Cold War, twice as many wars ended in victory as in negotiated settlements. Since that time, almost twice as many wars have ended in negotiated settlements as in victory.<sup>3</sup>
- These conflict trends are highly encouraging, but they do not signify a reduced demand for multilateral peacemaking. Quantitative analyses show that armed conflicts ending in negotiated settlements pose a much higher risk of relapse into violence than those ending in military victories.<sup>4</sup> As more and more armed conflicts are concluded by negotiated settlements, the average conflict recurrence rate is likely to increase over time unless peacebuilding and preventive diplomacy are applied skillfully and with sufficient resources.
- The drastic decrease in the number of violent conflicts after the end of the Cold War coincided with a drastic increase in multilateral preventive diplomacy by the United Nations as well as by regional and subregional fora. The 2005 *Human Security Report* notes that preventive diplomatic initiatives rose from one to six between 1990 and 2002, while UN mediation, facilitation, and good-offices schemes rose from four to fifteen over the same period.<sup>5</sup>
- An eminent mediation database for interstate conflicts between

1945 and 1995 shows that UN leaders or envoys accounted for roughly 30 percent of all mediation attempts during that period. This number increases to 50 percent when one looks only at cases of “intractable” conflicts.<sup>6</sup> The numbers for civil war are likely to be at least as high as for interstate wars. At the same time, the number of institutional, governmental, and nongovernmental peacemakers has drastically increased over the last two decades as the barriers to entry into conflict arenas have steadily decreased.

### **1. What are the current policy and institutional shortcomings in multilateral capacity in mediation?**

- Many conflicts may require a multiple-track mediation strategy in which negotiations among the leaders of the warring factions (track I mediation) are complemented by third-party assisted dialogue (track II mediation, involving civil-society leaders and organizations). The United Nations typically focuses on track I negotiation, leaving intercommunal track II negotiation to other mediators, such as nongovernmental organizations or states. Indeed, the conflict-prevention work of the OSCE High Commissioner on National Minorities exemplifies how the UN could strengthen its involvement in track II mediation.
- Most mediators are not cooperating with each other sufficiently to maximize their respective strengths in different conflict phases. In complex multitrack mediation, it is important to understand which actors can add tangible value to a peace process and under which circumstances they can do so. When violence is minimal or has yet to escalate, parties may be open to intervention by a wide range of mediators. At this point, the main challenge is to establish direct communication between the parties. Here, nongovernmental actors may at times enjoy a comparative advantage. When the threat of violence is high or increasing, mediators’ leverage is limited because the parties may continue to believe that they can gain more from continued fighting than they can through negotiations. At this stage, mediators who can use incentives or coercive power will likely have to be brought into the formal negotiating process. This job may be best filled by the major powers and/or the UN, which can coordinate a multidimensional international effort.

In most contemporary conflicts, an assignment of tasks among mediators based on their comparative advantage is cruelly missing. Coordination among mediators is also noticeably absent. This lack of coordination leads to misguided mediation attempts that can harm existing peacemaking initiatives, discredit salient solutions by introducing them at the wrong moment, and allow reluctant parties to conceal their belligerent motives by going “forum shopping.”

- Peacemaking processes are not always accompanied by, and coordinated with, peacebuilding-support measures and other forms of aid addressing the root causes of complex conflicts. Violent conflict, when it develops, can be associated with the breakdown of governance in a particular area. Such situations typically involve longer-term issues that are not easily addressed in single short-term bilateral negotiations. Instead, they require a complex conflict-management strategy involving intricate multiparty dialogue processes, peacebuilding programs, and long-term development aid.
- Preventive diplomacy is still not used enough as a means to address conflicts before they escalate or spread geographically. In the period between 1993 and 2004 there were seventy-six low-intensity intrastate armed conflicts, each of which resulted in fewer than 1,000 battle deaths. There were slightly more than 3,000 separate interventions taken by third parties in those low-intensity conflicts. Many of those were instances of successful and measured preventive engagement in emerging or simmering conflicts. Preventive diplomacy can even render more intrusive peacemaking and peacekeeping initiatives during more intense conflict phases unnecessary. However, in some low-intensity conflicts the UN and regional organizations still do not take a sufficiently proactive approach to preventive action.
- The UN and regional organizations are confronted with serious shortcomings in analytical resourcing and training related to peacemaking. In the past, numerous reports including the *Report of the High-Level Panel on Threats, Challenges, and Change*, the UN Secretary-General’s report *In Larger Freedom*, and a review by the Office of Internal Oversight concluded that the Department of Political Affairs (DPA) has documented chronic resource constraints. For instance, the DPA’s Africa

I Division currently has just eleven political affairs officers covering twenty-six countries, including some of the most complex conflict zones worldwide (including the Horn of Africa and the Great Lakes Region). The Secretary-General recently reported that, in the latter region, inadequate staffing made supporting countries or situations where the UN has no established field mission virtually impossible.<sup>7</sup>

- Regional security bodies in Latin America, Africa, Europe, and Southeast Asia are displaying an increasing amount of assertiveness and self-assurance. This trend is not paralleled in South Asia, East Asia, the Middle East, or Central Asia. The UN remains the fall-back peacemaker in most conflict theaters, and it is often called upon to monitor the implementation of agreements brokered by non-UN mediators (e.g., that in the Democratic Republic of the Congo). Hence, the UN should do its utmost to ensure that regional and subregional organizations engaged in peacemaking have the capacity to succeed.
- Emerging norms in transitional justice and terrorism and the establishment of criminal tribunals have changed the interaction of peacemakers with certain conflict parties. At the same time, there is no structured, in-depth strategic dialogue between UN organs, civil society, and the ICC Prosecutor on salient tradeoffs between the pursuit of retributive justice and the pragmatic conclusion of peace agreements, including amnesties for crimes committed in the course of the conflict. Furthermore, the absence of dialogue may result in disagreements on how to resolve a given conflict that could negatively affect the prospects for successful peacemaking.
- In a significant subset of conflict cases traditionally approached by the UN through a civil-war framework, parties to the conflict have been designated “terrorist organizations” by significant governments, e.g., Palestine, Colombia, Lebanon, and Sri Lanka. At the same time, the absence of a UN definition of terrorism poses a challenge to UN peacemakers and other mediators when they need to determine whether and how to interact with extremist actors.

## 2. Why have previous attempts to address these shortcomings failed?



- A competitive dimension of peacemaking has emerged between different governmental, institutional, and nongovernmental mediators. So far, no institution has succeeded in imposing strategic coherence among them. The United Nations would constitute the obvious “gatekeeper,” imposing some measure of order on the proceedings. However, determining who should take the lead in a peace process is often a highly contested political issue, and in some cases it has proved impossible to reach agreement on who the lead actor or mediating group should be.
- To enhance coordination, and sometimes cooperation, among states that are interested in a given conflict, “friends groups” have been established and are growing in number. In 2006, thirty-six such groups existed.<sup>8</sup> Some of those fora were ineffective when too big in size, thus complicating timely decision making and confidentiality, or when dominated by a great power seeking to monopolize agenda setting.
- Cooperation between the UN and regional and subregional organizations engaged in mediation has been established to varying degrees. It has often proved difficult to close the gap between general statements of intent (in the 2005 World Summit Outcome Document, Security Council statements, and joint declarations) on the one hand, and effective cooperation in specific peace processes on the other. The most extensive cooperation has been established within the Framework for the Ten-Year Capacity-Building Programme for the African Union. However, lacking capacity in the UN and in regional organizations has hampered successful implementation of this and other partnerships. For instance, the UN Liaison Office in Addis Ababa is currently staffed by just the Head of Office and his administrative assistant.
- A significant increase in the DPA’s budget for the biennium 2008-2009 will address some of its current resource constraints. The creation of new posts at the DPA, most of which will be created in the department’s regional divisions, will strengthen the UN’s analytic capacities, and will enhance its ability to engage with regional and subregional organizations. However, the gradual establishment of a network of regional offices proposed by the Secretary-General was not warmly received by the Advisory Committee on Administrative and Budgetary

Questions (ACABQ). Concerns of the G77 and China, among others, that the Secretary-General lacked the mandate to establish such offices indicate that many would perceive the UN's regional engagement beyond the borders of a conflict state as an infringement of sovereignty.

- Similar concerns about sovereignty have sometimes prevented an earlier engagement of the UN and of regional organizations in mediating low-intensity conflicts before they escalate or spread geographically. In other cases, emerging or simmering conflicts did not attract appropriate attention by key UN and regional actors who, consequently, did not muster political will for early engagement.

### **3. What policies and institutional renovations, including legal frameworks and financial arrangements, are needed?**

- The international community provides a large number of public goods to societies experiencing conflict or emerging from it. They give the international community leverage during a peace process, the potential of which has not yet been fully realized. Promises of postconflict reconstruction aid by the UN Development Programme (UNDP), the World Bank, the Peacebuilding Commission, and bilateral donors could provide incentives to the parties to end an ongoing conflict. In strategically using incentives available across the UN system, the UN should carefully assess negative long-term ramifications of the denial of support to uncompromising warring factions. Moreover, humanitarian concerns require that the international community provide certain public goods in conflict areas under any circumstances. A possible forum to discuss enhanced coordination between UN mediators and UN agencies and funds on the strategic use of positive incentives available across the UN system is the Executive Committee on Peace and Security chaired by the Under-Secretary-General for Political Affairs. Another way to strengthen system-wide cooperation during peace processes would be to strengthen the Special Representative of the Secretary-General's (SRSG) role in relation to UN agencies' field offices.
- Groups of friends involved in mediation processes have been most successful when small in size (four to five), and composed of states likeminded in holding the peaceful settlement of the

conflict in their highest interest. During the peacemaking phase, the need to involve all relevant actors in multilateral coordination and the need to keep political ownership of the mediation process in the hands of a few key actors could be balanced by informally distinguishing between concentric circles of core friends and supporting friends. During the implementation and peacebuilding phase, group size could be increased in order to facilitate donor coordination. In any case, all members of groups of friends should have to earn their membership by their special relationship to the conflict, and groups of friends should be prevented from becoming routine exercises.

- The UN should redouble its efforts to conclude comprehensive frameworks for coordination with regional and subregional organizations involved in peacemaking. After the conclusion of such agreements, swift steps need to be taken to translate them into day-to-day collaboration in addressing ongoing and emerging conflicts. The regional divisions of the DPA and the planned Policy, Partnerships, and Mediation Support Unit need to develop more proactive relations with regional and subregional organizations and other actors engaging in mediation. Wherever appropriate and necessary, the UN should seek to provide capacity-building support to these actors. Accordingly, the Secretary-General recently identified good offices and mediation support as priority areas of the ten-year capacity-building program for the AU launched in 2006.<sup>9</sup>
- In the near future, peacemaking capacity-building support for the AU and other regional and subregional organizations engaging in mediation could include the offer of capacity-building support for bookkeeping and expense-tracking, as necessary and appropriate. Addressing any deficiencies in funding management might be a good way for regional organizations engaging in peacemaking to attract higher levels of capacity-funding support in the future.
- While the UN is actively involved in peacemaking in Africa and other world regions, it plays a less active role in peacemaking in other areas, such as parts of Asia. Member states, especially those from regions with relatively limited UN involvement in peace processes, and the UN should reflect on the question of whether there are ways for the UN to play a useful, stronger role

during peace processes in other regions.

- Timely preventive diplomacy may sometimes be more successful than more intrusive, more complex, and more expensive conflict management which follows massive loss of life. The UN and regional organizations should redouble their efforts to seek entry points for preventive diplomacy during the early stages of armed conflicts to prevent them from escalating or spreading geographically.
- The steady increase in the number of representatives and envoys appointed by regional and subregional organizations has posed an increasingly great challenge to the coherence and consistency of mediation processes. The use of “hybrid representatives” jointly appointed by multiple institutions may foster coherence among international organizations when the representative’s mandate is clear and unambiguous. In other cases, the need to bridge diverging institutional standards and policies may confront the hybrid representative with a mission impossible, and will hamper his or her effectiveness in interacting with the conflict parties. The synergies achieved by appointing hybrid representatives can also mitigate some of the shortcomings in funding and staff, proper briefings, and information-technology support currently confronted by numerous special representatives and special envoys.
- In the interest of the prevention and early detection of conflict spillovers from the war zone to the surrounding region, the DPA should adopt a more regional approach to peacemaking. The gradual establishment of a limited network of regional offices proposed by the Secretary-General would be one way to achieve this objective, and should not be hastily dismissed. Another way would be to give regional mandates to Special Representatives and Special Envoys of the Secretary-General. In the context of a more regional approach to conflict analysis at the DPA, a stronger emphasis should put on the role of transnational organized crime in ongoing conflicts.
- Too little attention has been paid to the selection of Special Representatives and Special Envoys of the Secretary-General in the past, with mixed results. But the quality of recent appointees has, by and large, been very high. The creation of a standby team of specialized, technical-level mediation experts who can deploy

to the field at short notice and a roster of experts available for ad hoc technical assignments has already been put in place by the DPA's Mediation Support Unit. The impact of these two measures will depend on the training provided to the technical-level mediation experts, the rigor of the selection criteria applied to the roster, and the wide dissemination of the list. Grooming small cadres of full-time professionals under the leadership of a strong senior official with an appropriate budget to support mediation efforts and broad analytical expertise (including, for example, military and economic issues) could enhance the UN's mediator readiness.

- UN organs should engage in a structured in-depth strategic dialogue involving the ICC Prosecutor and civil society addressing the trade-offs between retributive justice and peace that may sometimes occur during the negotiation process.
- The General Assembly should redouble efforts to adopt a definition of terrorism that would provide consensus within the UN on the sensitive question of determining which extremist group is a terrorist one. Such conceptual clarity would facilitate the work of UN peacemakers and of other mediators.

#### **4. What strategy is needed to achieve these renovations?**

- The UN Secretariat and its leadership need to continue to work with regional and subregional organizations to build coordination frameworks. There is an ongoing effort to conclude coordination and cooperation agreements, which needs to be redoubled. Those agreements should be designed in a way that achieves timely and concrete collaboration in peace processes, for instance through desk-to-desk dialogue and joint conflict assessment workshops.
- Member states should build cross-regional coalitions aimed at the early adoption of an ambitious program for the revitalization and strengthening of the DPA by the ACABQ, or to pursue the enhancement of the DPA's capability through voluntary contributions to the Trust Fund for Preventive Action and the Trust Fund in Support of the Special Missions and Other Activities Related to Preventive Diplomacy and Peacemaking administered by the Secretary-General.
- The UN leadership should take the lead in promoting a shift

in the role of Special Representatives and Special Envoys of the Secretary-General that grants them more power over UN agencies' field offices, and to grant Special Representatives and Special Envoys of the Secretary-General a stronger mandate to work on the regional dynamics of conflicts.

- The global North should consider increasing its cooperation with regional and subregional organizations on issues related to economic development, and the UN should contemplate early revitalization and strengthening of its bodies providing economic development aid to the global South. Member states and the Secretariat should build cross-regional coalitions aimed at the simultaneous revitalization and strengthening of the UN's peacemaking and economic development capacities.

## IPI

### Notes:

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## Annex 2: Reflections from the Opening Plenary Meeting

JUNE 19, 2008

### Introduction

- Mediators make use of a toolkit of different techniques to address conflict. Selecting the right tools at the right moment requires a high degree of process knowledge about peacemaking, as well as social skills and experience. Any mediator is confronted with four sets of crucial questions which can only be answered with regard to the specific circumstances of each conflict situation:
  - ◆ What is achievable? How can you avoid creating a crisis of expectations?
  - ◆ To whom do you speak? Under which circumstances do you talk to terrorists and perpetrators of international crimes, and different kinds of spoilers?
  - ◆ How do you speak to the parties? In public or covert talks? Do you start with prenegotiations, track II talks involving civil society, or with high-level meetings?
  - ◆ When do you speak to them? Is the conflict ripe for resolution? If not, how could it become so?
- Successful mediation strategy has five elements:
  - ◆ Coherence: good mediation strategy starts with a careful plan and a clear set of objectives.
  - ◆ Complexity and coordination: resolving most of today's conflicts requires the involvement of, and coordination among, several kinds of intermediaries over the life cycle of the conflict.
  - ◆ Consistency and staying power: mediators must not end their involvement as soon as an agreement is signed, and need to ensure continuity during the implementation period.
  - ◆ Capacity and competence: mediator readiness is a prerequisite for successful peacemaking.

- ◆ Commitment to using preventive diplomacy to resolve conflicts before they spread.

## 1. What are the current policy and institutional shortcomings in multilateral capacity for mediation?

- The opening plenary meeting identified coordination between mediators as a major problem in contemporary peacemaking processes. Often multiple mediators get involved in a peacemaking process at the same time in an uncoordinated way. Under such circumstances, conflict parties can play mediators against each other and go forum-shopping in an effort to buy time before ending the armed conflict.
- Cooperation between different parts of the UN system is also of crucial importance but is sometimes missing. Crucial elements of the peacekeeping and peacebuilding strategies should be devised during peace negotiations. The failure to involve peacebuilding and peacekeeping experts early in the peace negotiations sometimes causes a dangerous disconnect between peacemaking and implementation processes. When a peacekeeping operation is established subsequent to the conclusion of a mediated peace agreement, a thorough hand-over from mediators to peacekeepers is needed. Mediators need to be involved in the implementation process when negotiations are likely to continue.
- In contrast to mediators representing great powers, UN mediators only dispose of the bargaining chips they accumulate by establishing good relationships with the Security Council, UN agencies, and member states.
  - ◆ The Security Council and individual member states can exercise leverage over conflict parties, for example, by threatening or imposing various kinds of sanctions. Only mediators with the strong backing of the Security Council and key member states benefit from this leverage. Sometimes Special Representatives and Special Envoys lack this support.
  - ◆ UN agencies and member states can complement the sanctions “stick” with carrots for conflict parties in the form of aid provided in the conflict country. However, many states resent using aid as a bargaining chip, because they do not want to compromise their development efforts or their



relationships with conflict parties.

- ◆ By issuing exhortations to conflict parties, the Security Council can use its legitimacy in support of a mediation process. The Council sometimes fails to send the right signals at the right times to the right conflict parties when the Special Envoy or SRSG does not coordinate with the Council, or when the Council is not committed to a peace process or to the mediator's strategy.
  - The UN has insufficient resources to support ongoing mediation initiatives, and to analyze ongoing or emerging conflicts. One participant referred to a past mediation experience during which he had wished the Secretariat played the role of a helpdesk staffed with regional and thematic experts to whom mediators in the field can turn for assistance.
  - More attention needs to be paid to the selection and training of SRSGs and Special Envoys. Several participants in the opening plenary stressed the crucial importance of the personal skills of mediators. Soon the UN will be confronted with a significant generational shift, and it is hard to see where the next generation of high-profile mediators will come from.
  - One participant noted that the UN is not proactive enough in pursuing preventive diplomacy. Another participant noted that, over the last twenty years, the Security Council has been almost pathetic in using Chapter VI.
  - According to one participant in the opening plenary, peacemaking mandates and demands to conflict parties from the Security Council sometimes lack clarity. This makes it hard to verify compliance, and it creates disputes over the scope of mandates.
- 2. What have previous attempts to address these shortcomings accomplished and why have some failed?**
- Sometimes mediators do not focus exclusively on resolving the conflict. Rather, their choices on the timing and form of a peacemaking initiative are driven by considerations of personal legacy or domestic politics. For instance, states may seek to host a public conference at a time when the conflict is not ripe for resolution. This may create a crisis of expectations, and the

failure to fulfill them can lead to a worsening of the conflict. In the absence of a gatekeeper for multiparty mediation processes it is difficult to avoid such mistakes.

- The recent plan of the Secretary-General to strengthen DPA did not receive the full support of the ACABQ. Among many reasons for skepticism among certain member states were concerns over the perceived piecemeal approach to the budget proposal and concerns over capacity duplications in DPA and DPKO.
- According to one participant in the opening plenary, Secretariat personnel often work in an atmosphere of insularity from the member states. This organizational culture prevents many UN mediators from cultivating relationships with important member states that would allow them to use member states' leverage on conflict parties as a bargaining chip during the mediation process.

### **3. What policies and institutional renovations, including legal frameworks and financial arrangements, are needed?**

- Mediators have to be skillful and creative in establishing leverage over the conflict parties when they lack the political will to settle the conflict. One participant stressed the importance of involving regional actors in the mediation initiative to create leverage over the conflict parties, and he cited the example of the Contadora process ending the civil war in El Salvador. Another participant pointed out that regional organizations often constitute the first line of defense against the destabilizing effect of armed conflicts, and he underlined the importance of strengthening regional peacemaking mechanisms.
- SRSGs and Special Envoys should communicate more with important third parties to ensure that these states support their mediation strategy. The strong backing of a UN mediation effort by key stakeholders in the international community will increase the leverage UN mediators can bring to bear on the conflict parties.
- In order to improve the clarity of peacemaking mandates and of demands on conflict parties the Secretariat should provide more guidance to the Security Council. For instance, the Secretary-

General operationalized the Council's demand for an Israeli withdrawal from southern Lebanon by defining the border between Lebanon and Israel in a report to the Council. This report was endorsed unanimously by the Council.

- The Security Council should improve its working methods to revitalize its engagement under Chapter VI. By doing so, it will be able to play a more effective role in peacemaking before a conflict becomes a threat to international peace and security.
- The UN should strengthen its norms on the responsibility to prevent in order to improve its effectiveness in pursuing preventive diplomacy.
- Regarding the lack of resources available for UN peacemaking, one participant raised the question of where the international community needs to expend more resources. Should additional funding be mainly provided to DPA, to the Executive Office of the Secretary-General and to his Special Representatives and Special Envoys, or to other actors? Should additional resources strengthen analytic capacities or mediation support? This participant urged caution in deciding whether DPA, by merit of its comparative advantage in conducting political analyses, should do so, or whether independent institutions should perform this task.
- According to two participants, the UN needs a place where those in the field can turn for expertise on a broad variety of issues such as constitution writing or economics. Another participant explained that many friends of Kofi Annan were on the receiving end of e-mails he sent during the Kenya mediation process scrambling to get expert advice on various topics.
- According to another participant, UN mediators should receive two weeks of training per year to strengthen their peacemaking skills. In a similar vein, the suggestion was made to gather a group of mediators both from inside and outside the UN for regular meetings on lessons learned.
- UN accounting rules should take into account the extraordinary circumstances UN peacemakers face in the field. Standard accounting procedures should be flexible enough to allow quick procurement of items needed to ensure the safety and security of UN staff.

- Regarding the role of emerging norms on transitional justice and terrorism in contemporary peace processes, one participant wondered whether UN peacemakers needed more doctrine or greater flexibility. Another participant cautioned against moralizing about transitional justice or terrorism, instead favoring pragmatic approaches which best serve peace processes. Another participant expressed the view that mediators need clearer guidance on how to deal with alleged perpetrators of international crimes and terrorist acts during peace processes. Other participants underlined that the balance between justice and peace needs to be delicately handled during and after peace processes.

#### 4. What strategy is needed to achieve these renovations?

- The working methods of the Security Council with regard to its work under Chapter VI can be changed by its members with relative ease as long as they muster the political will to get more involved in the peaceful settlement of disputes.
- UN member states should build cross-regional coalitions to strengthen institutional norms on preventive diplomacy and the responsibility to prevent.
- Several participants in the opening plenary underlined the crucial importance of improving the selection and training of Special Representatives and Special Envoys to enhance the effectiveness of UN peacemaking. One participant explained that the symbolic value of mediation initiatives needs to be enhanced to make peacemaking as a profession more attractive despite the hardship involved. This will make it easier to get “the right people” for highly sensitive mediation tasks.
- Member states have to devote more resources to strengthening multilateral peacemaking capacity in order to address existing capacity gaps.

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## Annex 3: Methodology and Timeline

Four questions guided the Task Forces in helping IPI to generate policy and institutional ideas for action:

1. What are the current policy and institutional shortcomings in multilateral security capacity on these issues?
2. Why have previous attempts to address these shortcomings failed?
3. What policies and institutional renovations, including legal frameworks and financial arrangements, are needed?
4. What strategy is needed to achieve these renovations?

The Opening Symposium on Development, Resources, and Environment served as an essential backdrop to the Task Forces. By examining these critical related issues, the symposium provided a larger geopolitical and economic context for the work of the subsequent Task Forces on security challenges. The two Task Forces, convened sequentially, addressed two thematic clusters of issues, each of which were broken down into smaller roundtables, as follows:

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### Task Force One

#### Transnational Security Challenges

1. Transnational Organized Crime
2. Weapons of Mass Destruction
3. Global Terrorism
4. Small Arms and Light Weapons
5. Biosecurity

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### Task Force Two

#### Inter- and Intra-state Armed Conflict

6. Peace Operations
7. Mediation and Peace Processes
8. Peacebuilding
9. Conflict Prevention and the Responsibility to Protect

Each Task Force consisted of members drawn from UN member states, academia, and policy-research institutions. The composition of each group ensured a broad range of perspectives regarding multilateral security capacity on the issues in question. Through this intensive work process, the Task Forces constituted core groups of stakeholders with an interest in developing practical strategies for addressing the institutional and policy shortcomings in these areas.

Task Force members met in opening and closing plenary sessions, as indicated below. Experts, in collaboration with IPI, prepared a series of non-papers, serving as a basis for discussion. Smaller groups gathered between the plenary sessions in roundtables, along with invited guest experts, for more in-depth, topic-specific discussions. Following each roundtable IPI produced a summary reflecting the group's discussions that served as a guide for the closing plenary session. Likewise, IPI drew on the Task Force deliberations to produce the final reports, detailing practical and achievable steps for strengthening multilateral action in the area in question. As noted, the content of these reports is the responsibility of IPI, and does not necessarily represent the positions or opinions of individual Task Force participants.

## TIMELINE

**Opening Symposium “Development, Resources, and Environment: Defining Challenges for the Security Agenda”**  
February 7-8, 2008 [Greentree Estate, Long Island]

### Task Force One: Transnational Security Challenges

#### **Opening Plenary Meeting**

April 2-4, 2008 [Greentree Estate, Long Island]

1. Roundtable on **Transnational Organized Crime**  
April 10-11, 2008 [Millennium UN Plaza Hotel, New York]
2. Roundtable on **Weapons of Mass Destruction**  
April 24-25, 2008 [IPI, New York]

3. Roundtable on **Global Terrorism**

May 1-2, 2008 [IPI, New York]

4. Roundtable on **Small Arms and Light Weapons**

May 8-9, 2008 [Millennium UN Plaza Hotel, New York]

5. Roundtable on **Biosecurity**

May 21-22, 2008 [IPI, New York]

**Closing Plenary Meeting**

May 28-30, 2008 [Greentree Estate, Long Island]

**Task Force Two: Inter- and Intra-state Armed Conflict**

**Opening Plenary Meeting**

June 11-12, 2008 [Greentree Estate, Long Island]

6. Roundtable on **Peace Operations**

June 16-17, 2008 [IPI, New York]

7. Roundtable on **Mediation and Peace Processes**

June 30-July 1, 2008 [IPI, New York]

8. Roundtable on **Peacebuilding**

July 2-3, 2008 [IPI, New York]

9. Roundtable on **Conflict Prevention and the  
Responsibility to Protect**

July 8-9, 2008 [IPI, New York]

**Closing Plenary Meeting**

October 15-16, 2008 [Greentree Estate, Long Island]

## Annex 4: Task Force Participants

### Co-Chairs

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H.E. Mr. Abdullah M. Alsaïdi, *Permanent Representative of the Republic of Yemen to the United Nations*

H.E. Mr. Dumisani Shadrack Kumalo, *Permanent Representative of the Republic of South Africa to the United Nations*

H.E. Mr. Claude Heller, *Permanent Representative of Mexico to the United Nations*

H.E. Mr. Peter Maurer, *Permanent Representative of Switzerland to the United Nations*

H.E. Mr. John McNee, *Permanent Representative of Canada to the United Nations*

H.E. Mr. Vanu Gopala Menon, *Permanent Representative of the Republic of Singapore to the United Nations*

H.E. Mr. Heraldo Muñoz, *Permanent Representative of Chile to the United Nations*

H.E. R.M. Marty M. Natalegawa, *Permanent Representative of the Republic of Indonesia to the United Nations*

H.E. Mr. Christian Wenaweser, *Permanent Representative of the Principality of Liechtenstein to the United Nations*



## Permanent Missions and Delegations to the United Nations

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African Union	Ghana	Portugal
Algeria	Greece	Qatar
Argentina	India	Republic of Korea
Australia	Indonesia	Romania
Austria	Ireland	Russian Federation
Bangladesh	Israel	Singapore
Brazil	Japan	Slovak Republic
Canada	Liechtenstein	South Africa
Chile	Lithuania	Spain
China	Luxembourg	Sweden
Colombia	Malaysia	Switzerland
Costa Rica	Mexico	Tanzania
Cuba	Morocco	Turkey
Czech Republic	Mozambique	Uganda
Denmark	Netherlands	United Kingdom
Egypt	New Zealand	United States of America
Ethiopia	Niger	Uruguay
European Union	Nigeria	Viet Nam
Finland	Norway	Yemen
France	Pakistan	
Germany	Palau	



## Expert Moderators and Contributors

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### Chronic Underdevelopment

Said Djinnit, *Commissioner for Peace and Security, African Union*

Raymond Gilpin, *Associate Vice President, Sustainable Economics, Center of Innovation, United States Institute of Peace (USIP)*

Anke Hoeffler, *Research Officer, Centre for the Study of African Economies, Oxford University*

Arvind Panagariya, *Jagdish Bhagwati Professor of Indian Political Economy, Professor of Economics, Columbia University*

John Sender, *Emeritus Professor of Economics, University of London; Senior Research Fellow in Development Studies, University of Cambridge*

Ronald J. Waldman, *Professor of Clinical Population and Family Health, Professor of Clinical Epidemiology, Columbia University*

Ngaire Woods, *Director of the Global Economic Governance Programme, Oxford University*

### Energy and Resource Scarcity

Albert Bressand, *Executive Director, Center for Energy, Marine Transportation and Public Policy, Columbia University*

Nikhil Desai, *Consultant, World Bank and German Agency for Technical Cooperation (GTZ)*

Antoine Halff, *Adjunct Professor of International and Public Affairs, Columbia University*

Monty P. Jones, *First Executive Secretary, Forum for Agricultural Research in Africa*

Roberto Lenton, *Chair of the Technical Committee, Global Water Partnership*

Richard Matthew, *Director, Center for Unconventional Security Affairs, University of California Irvine*

## Environment and Climate Change

Scott Barrett, *Professor of Environmental Economics and International Political Economy; Director, International Policy Program; Director, Global Health and Foreign Policy Initiative, Johns Hopkins University*

Reid Detchon, *Executive Director, Energy and Climate, UN Foundation*

Mark Goldfus, *Head of Public Policy, Merrill Lynch*

Peter Haas, *Professor of Political Science, University of Massachusetts - Amherst*

Maria Ivanova, *Assistant Professor of Government and Environmental Policy, College of William & Mary; Director, Global Environment Project, Yale Center for Environmental Law and Policy*

Adil Najam, *The Frederick S. Pardee Chair for Global Public Policy, Boston University*

Cynthia Rosenzweig, *Senior Research Scientist, NASA Goddard Institute for Space Studies*

## Task Force One on Transnational Security Challenges

### Transnational Organized Crime

Phil Williams, *Professor, Graduate School of Public and International Affairs, University of Pittsburgh (Expert Moderator)*

Peter Gastrow, *Cape Town Director, Institute for Security Studies (ISS)*

Chizu Nakajima, *Director, Centre for Financial Regulation and Crime (CFRC), Cass Business School*

### Weapons of Mass Destruction

Christine B. Wing, *Senior Research Fellow, Center on International Cooperation, New York University (Expert Moderator)*

Chaim Braun, *Fellow and Affiliate, Centre for International Security and Cooperation (CISAC), Stanford University*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Alaa Issa, *Fellow, Weatherhead Center for International Affairs, Harvard University*

Geoffrey Wiseman, *Acting Director, USC Center on Public Diplomacy, the Annenberg School for Communication, University of Southern California*

Jing-dong Yuan, *Director of the East Asia Nonproliferation Program (EANP), James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies*

## **Global Terrorism**

Eric Rosand, *Senior Fellow, Center on Global Counterterrorism Cooperation (Expert Moderator)*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Peter Neumann, *Director, International Centre for the Study of Radicalisation and Political Violence (ICSR), King's College London*

Matthias Sonn, *Head, Task Force, International Co-operation on Counterterrorism, Foreign Office, Federal Republic of Germany*

Curtis A. Ward, *President, Curtis Ward Associates LLC*

David Wright-Neville, *Associate Professor, Global Terrorism Research Centre, Monash University*

## **Small Arms and Light Weapons**

Herbert Wulf, *Adjunct Senior Researcher, Institute for Development and Peace, University of Duisburg/Essen; Associate, Bonn International Center for Conversion (BICC) (Expert Moderator)*

Cate Buchanan, *Head of Negotiating Disarmament, Centre for Humanitarian Dialogue*

Patrick McCarthy, *Coordinator, Geneva Forum*

Mohammad Masoom Stanekzai, *Senior Fellow, Jennings Randolph Fellowship Program, United States Institute of Peace*

Rachel Stohl, *Senior Analyst, Center for Defense Information (CDI)*

Valerie Yankey-Wayne, *Associate with the “Armed Groups Project,”  
University of Calgary*

## **Biosecurity**

Jean Pascal Zanders, *Director, BioWeapons Prevention Project  
(Expert Moderator)*

Sergey Batsanov, *Director, Pugwash Conferences on Science and  
World Affairs, Geneva Office*

Jennifer Runyon, *Executive Director, International Council for the  
Life Sciences*

Jonathan B. Tucker, *Senior Fellow, James Martin Center for  
Nonproliferation Studies, Monterey Institute of International  
Studies*

Ronald J. Waldman, *Professor of Clinical Population and Family  
Health, Professor of Clinical Epidemiology, Columbia University*

## **Task Force Two on Inter- and Intra-state Armed Conflict**

### **Conflict Prevention and the Responsibility to Protect**

Colin Keating, *Executive Director, Security Council Report  
(Expert Moderator)*

Steve Crawshaw, *UN Advocacy Director, Human Rights Watch*

Nicole Deller, *Director of Programs, Global Center for the  
Responsibility to Protect, Ralph Bunche Institute for International  
Studies, CUNY Graduate Center*

Kathleen Hunt, *UN Representative, CARE International*

Juan Méndez, *President, International Center for Transitional  
Justice (ICTJ)*

William G. O’Neill, *Program Director, Conflict Prevention and  
Peacebuilding Forum, Social Science Research Council*

Thomas G. Weiss, *Presidential Professor of Political Science;  
Director, Ralph Bunche Institute for International Studies, CUNY  
Graduate Center*

## Mediation and Peace Processes

Fen Osler Hampson, *Director, The Norman Paterson School of International Affairs, Carleton University* (Expert Moderator)

Betty Bigombe, *Distinguished Scholar, Woodrow Wilson International Center for Scholars*

Priscilla Hayner, *Director, Peace and Justice Program, International Center for Transitional Justice (ICTJ)*

Gilbert M. Khadiagala, *Head of the Department of International Relations and Jan Smuts Professor of International Relations, University of the Witwatersrand*

Kalle Liesinen, *Executive Director, Crisis Management Initiative*

William Zartman, *Professor Emeritus, The Paul H. Nitze School of Advanced International Studies, Johns Hopkins University*

## Peace Operations

Ian Johnstone, *Associate Professor of International Law, Tufts University* (Expert Moderator)

Salman Ahmed, *Visiting Research Scholar, Princeton University*

Major General Patrick Cammaert (Ret.), *Former UN Force Commander*

Mark Malan, *Peacebuilding Program Officer, Refugees International*

'Funmi Olonisakin, *Director, Conflict, Security and Development Group, King's College London*

## Peacebuilding

Charles T. Call, *Assistant Professor of International Relations, American University* (Expert Moderator)

Elizabeth Cousens, *Director of Strategy, Centre for Humanitarian Dialogue, New York Office*

Graciana Del Castillo, *Adjunct Professor of Economics, Columbia University*

Michael W. Doyle, *Harold Brown Professor of International Affairs, Law and Political Science, Columbia University*

Amos C. Sawyer, *Associate Director and Research Scholar, Indiana University; Former Interim President of the Republic of Liberia*

Susan L. Woodward, *Professor of Political Science, The Graduate Center, City University of New York; Senior Fellow, FRIDE, Madrid*

## Cross-Cutting Experts

---

Joseph Chamie, *Research Director, Center for Migration Studies*

Sue E. Eckert, *Senior Fellow, The Watson Institute for International Studies, Brown University*

Dirk Salomons, *Director, Humanitarian Affairs Program, School of International and Public Affairs, Columbia University*

Curtis A. Ward, *President, Curtis Ward Associates LLC*

## IPI

---

### Conveners

Terje Rød-Larsen, *President*

Edward C. Luck, *Senior Vice President and Director of Studies*

### Task Force Leaders

James Cockayne, *Senior Associate*

Francesco Mancini, *Deputy Director of Studies*

### Program Staff

François Carrel-Billiard, *Deputy Director of External Relations*

Farah Faisal, *Program Officer*

Naureen Chowdhury Fink, *Senior Program Officer*

Alison Gurin, *Program Assistant*

Marilyn Messer, *Special Assistant to the Senior Vice President and Director of Studies*

Christoph Mikulaschek, *Senior Program Officer*

Njambi Ouattara, *Program Administrator*

Jenna Slotin, *Senior Program Officer*

Adam Smith, *Senior Program Officer*

Pim Valdre, *Special Assistant to the President*

### **Editorial Staff**

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Beatrice Agyarkoh, *Events Officer*

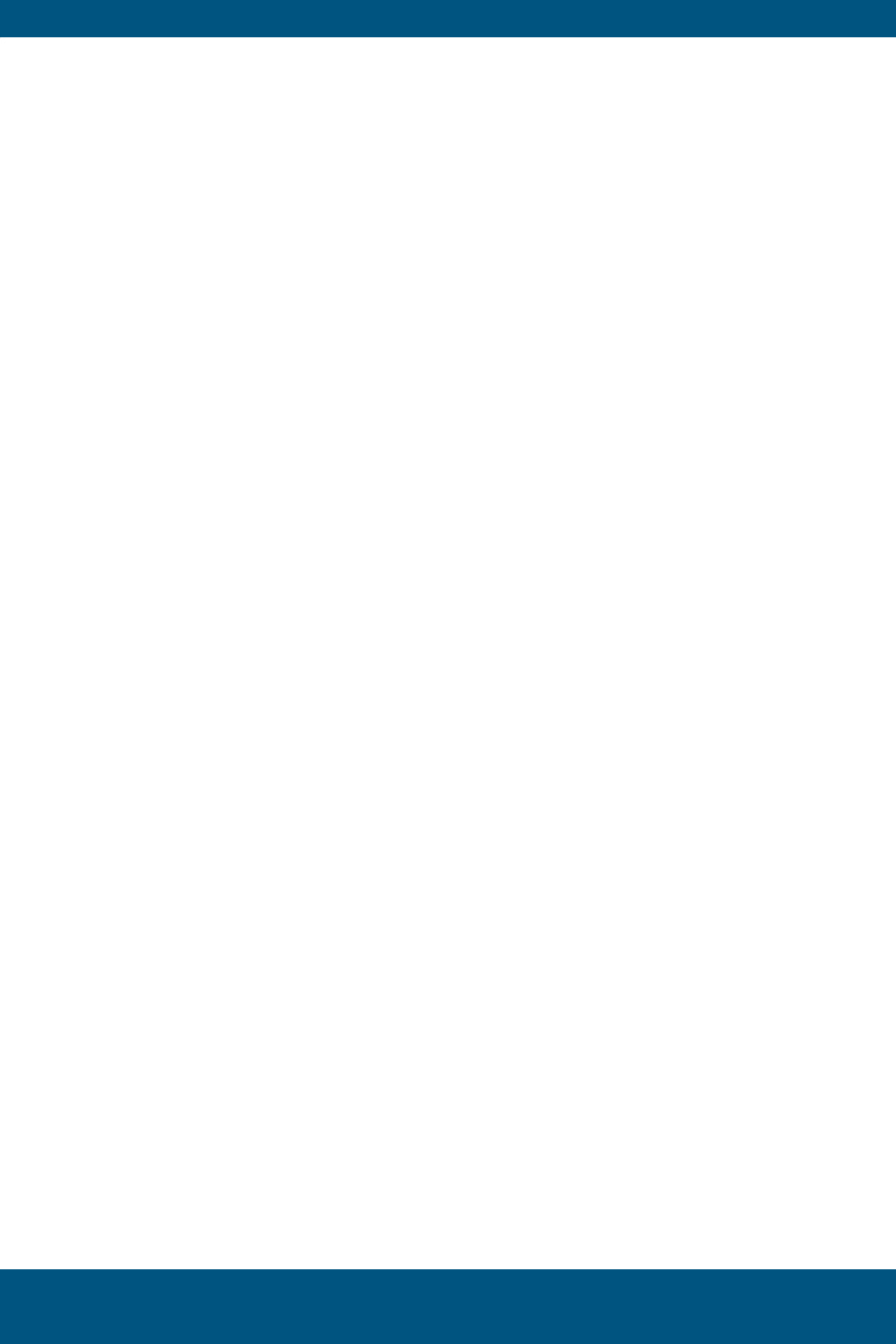
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### **Leading *Rapporteur* of this Report**

Christoph Mikulaschek, *Senior Program Officer*









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1. Underdevelopment, Resource Scarcity, and Environmental Degradation
2. Transnational Organized Crime
3. Weapons of Mass Destruction
4. Global Terrorism
5. Small Arms and Light Weapons
6. Biosecurity
7. Conflict Prevention and the Responsibility to Protect
8. Mediation and Peace Processes
9. Peace Operations
10. Peacebuilding
11. Strengthening the United Nations and its Partners



**777 United Nations Plaza New York, NY 10017-3521 USA**

**TEL +1-212 687-4300 FAX +1-212 983-8246**

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