

# LOW ROAD TO PEACE: THE POTENTIAL OF PEACE MEDIATION ON REVITALISING PREVENTION

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*What should we expect, and should we not expect, mediation as a technique to deliver in terms of preventing the types of violent conflicts that afflict the world today and that are likely to be the main challenges for sustaining peace tomorrow? What do we know about the relationship between formal public mediation processes and conflict?*

**Mediation** “is a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements.”

- third party diplomatic messaging and shuttle diplomacy that seeks to change the perception and calculation of the conflict parties, through for example applying sanctions or offering incentives, but where there is no effort to create a space for a consensual process to resolve differences, is not mediation *per se*.

**Preventive diplomacy** is meanwhile generally understood as any diplomatic initiative taken to “ease tensions before they result in conflict or if conflict breaks out, to act swiftly to contain it and resolve its underlying causes”. It’s most common expression is “found in the work of diplomatic envoys dispatched to crisis areas to encourage dialogue, compromise and the peaceful resolution of tensions”.

- Mediation and preventive diplomacy are thus not synonymous.

Mediation is relevant at all levels, first in terms of *actors* as a technique of preventive and crisis diplomacy, second in terms of *institutions* as a characteristic present in resilient polities and third in terms of *structural* factors as a means to transcend historic, social and economic cleavages.

Arguably all mediation can be considered preventive. We can however make a distinction between ‘hot conflict’ mediation and ‘preventive mediation’ where the latter is understood as occurring in pre or frozen conflict settings.

- The technique of mediation itself is not different in substance whether it is applied in a hot conflict setting or in a pre or frozen conflict. However the different power dynamic in different contexts may mean mediators with different attributes and pursuing a different mediation style are required.

*What does the sustaining peace agenda indicate for the scope of preventive diplomacy generally and preventive mediation specifically?*

- The sustaining peace agenda emphasises that a) peacebuilding encompasses prevention that b) interventions need to be understood preventively. The existing mediation support mechanisms need to be strengthened in order to deliver on conflict prevention.

*What do we know from the academic literature?*

- The frequency of mediation attempts as well as the likelihood of mediation as a method of conflict termination increased substantially with the end of the Cold War although this trend does not seem to have continued. In general attempts at formal mediation are correlated with the conflict intensity (i.e. the number of deaths), internationalization (third parties' military intervention), duration and when the issue at stake is territory rather than ideology. Over the period 1989-2014 an average of 24% of armed conflict situations, where one or more party was a state, benefitted from the engagement of a formal third party negotiator. The fact that the Uppsala Conflict Data Programme records mediation initiatives in only 22% of sub conflicts during 2000s raises the possibility of a large unmet potential for mediation, or that mediation and other forms of conflict resolution initiatives are going undetected by this type of analysis.
- In terms of the relationship between the region within which a conflict occurs and the likelihood of a recorded incidence of mediation there is a higher likelihood of European (24%) and African conflicts (18%) receiving the attention of a mediator that is recorded in the data. In contrast there is less mediation recorded in Asian (7%) and Middle Eastern (5%) conflicts.
- Epistemological problem – it is possible that there is no failure or lack of preventive diplomacy as a continuous and constant feature of interactions within the international system – rather the 'problem' is that the 'successes' are by definition only possible to prove counterfactually whereas every conflict incident is recorded as failure ie "we don't hear a forest growing but we hear a single tree falling". The implication is that the growth in violent conflict of the past five years is not necessarily proof of a preventive diplomacy failure but may be just the outstripping of the ability of the system to maintain an equilibrium in a state of low and decreasing violence.
- Data sets utilized by political scientists attribute mediation occurrence to a wide range of incidents that may not in fact be mediation but rather some other form of preventive diplomacy whilst conversely, "mediation efforts undertaken by civil society organisations, which commonly focus on other levels or representatives than the official representatives of the conflict parties, and are not uncommonly performed through secret channels, are not included, due to lack of systematic and comparable data."

*How can issues relating to conflict ripeness for mediation, which are central to stepping up preventive action, be addressed in a constructive way?*

- According to ripeness theory it is only when the parties perceive they can gain more by negotiating than by continuing to fight that they will seek a mediated solution. Potential responses: 1) wait for the situation to ripen 2) employ hard or soft power approaches to seek to ripen 3) consider what is required to undertake mediation in a preventive setting – a situation which is not yet ripe for conventional, high-powered elite-level mediation may still be susceptible to discrete mediation in a preventive diplomacy context, the 'low road to peace'.
- Conflicts which are not yet ripe for high-powered elite led mediation may for example still be ripe for mediation attempts under the radar by less formal actors. This opens the question of whether non-state actors in mediation can encourage and spur on ripeness in a manner complementary to elite-led mediation attempts.

*How and when should diplomatic actors and their proxies pursue the 'low road to peace' by engaging in mediation undertaken preventively, and what is the potential for interventions by non-state actors to complement the work of formal actors? In a contested international system what does this imply for current norms and practices?*

- Since the end of the Cold War, there has been a dramatic growth in private, international mediators. The Mediation Support Network can today count 21 members – the European Institute of Peace is another. Such actors have attributes that may overcome some of the obstacles that official actors face when seeking to act preventively 1) less threatening to the non-intervention/state sovereignty paradigm due to the lack of conventional leverage, otherwise associated with a high-powered external mediation effort, and in certain cases a perceived independence. 2) different risk profile with ability to be more flexible, as they have a different constituency to answer to if they change strategy or focus depending on the context. They are more quickly able to change strategy, and can adapt rapidly to the context. Moreover, the work of INGOs are exposed to less attention and media scrutiny compared to efforts by state actors. 3) possibility of different type of engagement with extremist groups. By building the relationships and trust necessary to engage on a regular basis, it is possible to codify objectives and beliefs. This can help manage expectations, conditioning groups to more formal engagements for potential mediation, strengthening their capacity to engage both with other armed actors and the political processes.

#### *Challenges to mediation in a preventive setting*

- How to find the best method for collaboration between high-level preventive diplomacy and local local peacemaking mechanisms that are mostly better placed to resolve emerging conflict than high level external actors who often are not sufficiently embedded into the context to propose and drive effective conflict resolution for enduring impact on the ground.
- The practice of mediation in a preventive context is still not sufficiently mapped and understood to establish any solid models for when mediation is the best option available to prevent the outbreak of conflict. For example, dialogue facilitation or discreet shuttle diplomacy may at times be more useful ‘tools’ in the preventive diplomacy toolbox than actual mediation. In other circumstances, the application of a certain instrument may be necessary to reach the stage where mediation is possible. Mastering the various options available is a necessary step to understand how mediation can best be applied.
- While there is a general consensus of the need to work in a more collaborative and coordinated manner, the peacemaking field remains competitive. For example, the conventional view of state-based actors as the primary agents can lead to some role confusion or tension in relation to INGOs. Often, and for good reason in accordance with the UN Mediation Guidance, state-based actors, who perceive themselves as lead actors in mediation, assert their right to devise the strategy and decision-making around a process. INGOs however may have been able to develop a preventive mediation process precisely because they are not linked with any particular state or international organisation, or because they are able to go against the political grain of dominant state actors. Opening up a preventive process to more high-powered state-based or institutional actors prematurely may imperil it, especially given that many preventive initiatives are based around a persuasive logic rather than transactional exchanges.
- In order to undertake preventive diplomacy, and open the avenues for mediation when needed, it is absolutely crucial that adequate resources are spent on initiating, developing and maintaining active diplomatic channels with parties. This can help overcome the ‘ripeness’ obstacle, helping the parties to see what they stand to gain by finding mutually agreed solutions to violence and not resort to fighting. This funding issue exists for both state actors, INGOs and NGOs, although the latter are additionally challenged by the way conventional project funding for non-state actors is set up.
- Some of the general risks of contacts with extremist groups apply equally when acting preventively. Firstly, the risk of instrumentalisation, whereby a peacemaking actor is used by an armed group in bad faith, remains very high in preventive contexts. The same flexibility that enables interaction with

unsavoury elements bring a vulnerability towards losing control of engagements and their outcomes. Secondly, violent extremist groups are difficult to reach through to, for many reasons. It can be difficult to assess if there is potential for a long-term strategy for peaceful dividends. Finally, the 'do no harm' principle, or conflict sensitivity means that the mediators must understand the context in which they operate, how their interventions interact with this context, and to act according to this understanding.

## CONCLUSION

- Diversity of actors - the Sustaining Peace agenda rightly encourages a greater alignment between short-term peacebuilding and peacemaking processes and larger structural changes in conflict-prone or conflict-afflicted societies. This ambitious effort notably calls for a strengthening of local capacity for peace throughout the conflict cycle, including preventive efforts. It moreover asks of peacemaking actors to ensure their initiatives sufficiently link up with a wider array of actors, specifically at the local level. Two points can be extracted from this: firstly, the need for diplomatic actors to consciously work to ensure that local peacemaking mechanisms remain permanently available (and supported) to consider offering mediation in early emerging conflicts. Secondly, that there is a need to strengthen the complementarity between, preventive work by actors who can reach out to levels which are off-bounds for state-based actors. It thus encourages a shift from the diplomatic/elite mode of mediation towards broad based approaches led by civil society/NGOs, as well as more efforts carried out in complementarity between different levels.
- Complexity of context – it may never have been the case that mediation could be applied in order to prevent conflicts according to simple laws of cause and effect. It seems certain that the conflicts of today and tomorrow will not be amenable to mediation approaches pursued in a mechanical and linear manner. Traditional diplomatic engagements seeking to mediate between key protagonists need to be reconsidered in contexts which are not ripe and/or with an absence of identifiable leaderships with negotiable aims. Mediating preventively, even in the hardest cases, holds promise when it is understood as a broader effort to help build structures that allow third parties find mutually acceptable agreements that resolve their conflict. There is an existing and diverse range of experience in this, including among local actors and INGOs.

### *Recommendations*

- On an actor level, changing emphasis on how formal and informal actors can work together in preventive diplomacy processes, with emphasis on increased collaboration, creativity in terms of role divisions, and flexibility.
- On a structural level, an increased focus on how formal level actors can actively work with, support, and situate their own contributions within existing frameworks of local conflict resolution mechanisms, which are particularly well-suited to flag and address low-intensity conflict, including mediation.
- Efforts to make preventive diplomacy initiatives less prone to rejection on the basis that they amount to an interference in internal affairs, by flexibly working with discreet actors and invest in long-term diplomatic engagements with parties in at-risk regions whilst simultaneously strengthening the international norm of non-indifference.
- A reconsideration of how ripeness is understood in a preventive context, with further exploration into how different types of actors and strategies stimulate the right environment for mediation.
- Further exploration of how to engage with violent extremist groups in a preventive context, including the development of a framework for longer-term strategizing, and fuller understanding of the risks associated with different types of groups.