



# **PERSPECTIVES OF THE UN & REGIONAL ORGANIZATIONS ON PREVENTIVE AND QUIET DIPLOMACY, DIALOGUE FACILITATION AND MEDIATION**

**COMMON CHALLENGES & GOOD PRACTICES**  
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# 1. Preface – About the Report

This report reflects the main issues discussed during a two-day workshop on “Preventive and Quiet Diplomacy, Dialogue Facilitation and Mediation – Best Practices from Regional Organizations<sup>1</sup>,” held in Vienna, Austria on 6 and 7 December 2010.

The Workshop, organized by the Organization for Security and Co-operation in Europe (OSCE), and held with the United Nations (UN), was conceived and carried out as a follow-up to the UN Secretary-General’s Retreat with Heads of Regional Organizations on “*Co-operation in Times of Crisis*”, held in January 2010 in New York. The Workshop brought together senior representatives from the UN and key regional organizations to foster closer co-operation and knowledge-sharing on preventive and quiet diplomacy, dialogue facilitation and mediation.

The report is structured thematically with a view to making it useful not only to mediators and regional organizations, but also to policy makers and academics analyzing the work carried out in the field of preventive and quiet diplomacy, dialogue facilitation and mediation.

The report does not reflect the official views of the United Nations, the Organization for Security and Co-operation in Europe or any other regional organization present at the Workshop.

The report was drafted by the Planning and Analysis Team, Operations Service, Conflict Prevention Centre, Organization for Security and Co-operation in Europe.

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<sup>1</sup> Please note that for the purpose of this report, ‘regional organizations’ should be understood as ‘regional and other international and intergovernmental organizations’, since not all organizations that participated in the Workshop were strictly speaking regional organizations under the UN Charter.

## The co-organizers

**The United Nations Department of Political Affairs (UNDPA)** is the lead United Nations department for peacemaking and preventive diplomacy. Through the deployment of the UN Secretary-General's 'good offices', UNDPA attempts to help warring parties achieve peace and prevent political and armed conflicts from escalating. The department typically works behind the scenes to define and plan missions, as well as to provide UN special envoys and mediators with guidance and support from New York. Through the work of its regional divisions, UNDPA regularly provides the UN Secretary-General with analytical reports and briefing notes that inform his decisions and help shape the organization's continuous diplomacy with UN Member States, non-governmental organizations, and other actors.

**The Organization for Security and Co-operation in Europe (OSCE)**, with fifty-six participating States from Europe, Central Asia and North America, is the world's largest regional security organization, bringing comprehensive and co-operative security to a region that stretches from Vancouver to Vladivostok. It offers a forum for political negotiations and decision-making in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation, and puts the political will of the participating States into practice through its unique network of field operations and its institutions. The OSCE has been directly involved in conflict resolution in Eastern Europe, the Caucasus, Central Asia and South-Eastern Europe. The OSCE traces its origins to the détente phase of the early 1970s, when the Conference on Security and Co-operation in Europe (CSCE) was created to serve as a multilateral forum for dialogue and negotiation between East and West.

## 2. Executive Summary

### Regional aspects of mediation

Preventive and quiet diplomacy, dialogue facilitation and mediation are crucial tools that can assist in achieving and preserving peace. The participants of the Workshop recognized the leading role of the UN in this field. At the same time, several regional organizations have developed or are in the process of strengthening their respective instruments and institutional frameworks. The specific approach to mediation depends largely on the historical, geographic and cultural context of each organization. The Workshop confirmed that the different focuses on conflict prevention by international and regional organizations should be seen as comparative advantages.

### Common challenges to mediation faced by regional organizations

Despite the diverse backgrounds of regional organizations, one of the most important outcomes of the Workshop was a shared feeling among participants that regional organizations face similar challenges when conducting preventive and quiet diplomacy, dialogue facilitation and mediation activities:

- 1 A regional or any large organization may experience difficulties in adapting to the continuously changing conflict landscape.
- 2 Internal challenges exist for regional organizations which are intrinsically linked to their general structure, scope and practices. Mediation capacities in most regional organizations are still relatively young. Another challenge is posed by the internal rules and regulations and the culture of an organization.
- 3 Even excellent dialogue and mediation efforts may fail if they are not backed by political will.
- 4 Inadequate political will may also result in a lack of resources for conflict prevention.
- 5 Regional organizations can experience challenges in being perceived as impartial and neutral towards all the parties at the negotiation table, particularly when the mediator upholds principles and norms (e.g. territorial integrity) which are at odds with the position of one of the parties. Neglecting the historical legacy can undermine a peace process.

- 6 The time factor can make the difference between success and failure. However, the time factor carries a difficult dilemma with it, namely to respond as early as possible but to wait until the time is ripe for the conflict-sides to come to an agreement.
- 7 Integrating root causes into a mediation process provides a better chance for a lasting and sustainable conflict settlement. However, this is challenged by two factors: the pressure for quick success and the importance of local ownership.
- 8 Irrespective of whether they are included or excluded from the negotiations, the presence of spoilers poses a serious risk to the peace process and this must be carefully managed.
- 9 The multiplicity of international and regional organizations active in a conflict creates overlap and often complicates the mediation process. Even when a balanced division of tasks has been found for all regional organizations operational in the same conflict area, new actors may arise or become interested, while a new political climate can result in the withdrawal of others.
- 10 One of the most recurrent challenges was how to balance transparency and confidentiality. This challenge was particularly reflected in three areas: quiet diplomacy, the role of the media and the sharing of good practices.

### Good practices from regional organizations

Despite the challenges, regional organizations continue to have an added value in preventive and quiet diplomacy, dialogue facilitation and mediation and are often required to get involved. Several good practices on preventive and quiet diplomacy, dialogue facilitation and mediation were brought up in the Workshop discussions:

- 1 One of the crucial requirements for success is partnership with other stakeholders operating in the same region or country. Regional organizations can contribute greatly to stabilization through information sharing, joint operations and a shared strategic approach.
- 2 A good mediator needs two crucial factors: ample experience in mediation as well as relevant mediation skills; and an in-depth understanding of all aspects of the conflict dynamics. In addition, the cultural background of a mediator matters as well as his/her understanding of the cultural background of the conflict. The acceptance of a mediator also depends on the perception of his or her impartiality/neutrality.
- 3 In order to be able to resolve disputes in a timely manner, regional organizations should have the *“machinery established and oiled”* beforehand. During the mediation

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process, time and patience are required to deal with a multiplicity of activities. Readiness for a long-term investment is a prerequisite for a sustainable solution.

- 4 A multi-track approach may produce better results. Practical day-to-day dialogue and mediation can be very effective. Local mediation, performed by local mediators themselves, can provide a degree of continuity and stability.
- 5 The involvement of civil society and the private sector is fundamental in a mediation process. Civil society can greatly support a peace process and has to be involved.
- 6 The proper management of details can promote the process. Having mid-level experts in the mediation team who provide a link between the senior-level mediator and the subject matter experts is important, as is dealing with the management of the details.
- 7 Flexibility was identified as a requirement for mediation; a mediator has to be able to adapt the process constantly to changes and new factors over time.

### Operationalizing mediation support capacities

In their call for more synergy, several opportunities for closer co-operation among regional organizations on the issue of mediation support were suggested:

- 1 Based on the importance of having the knowledge and understanding of the local context, mediation support should play an important role in providing analysis and background briefings to mediators.
- 2 Joint trainings should be continued and intensified. Furthermore, country-specific trainings and training on mediation in diplomatic academies of Member/participating States or of regional organizations should be considered.
- 3 In the field of knowledge management, many experiences can and should be shared among regional organizations, despite occasional competition.
- 4 Sharing rosters of experts in a regional context was seen as a concrete and possible way of co-operating and avoiding duplication of efforts.
- 5 Local capacity building is pivotal to assure a follow-up to the implementation of the peace agreement.
- 6 Mediation support units have a responsibility in setting up partnerships in advance of a conflict prevention involvement.



### Key recommendations

- 1 **The need for more synergy:** More synergy between regional organizations is essential in the area of mediation. The different focuses on conflict prevention by regional organizations should be seen as comparative advantages. Co-ordination and co-operation among regional organizations should replace competition.
- 2 **The leading role of the United Nations:** The UN should strengthen its leading role in the field of quiet diplomacy, dialogue facilitation and mediation.
- 3 **Promotion of the subject of mediation:** The political will of Member/participating States to be involved in mediation should be promoted by linking national interests to the advantages of conflict prevention. A collective call for more conflict prevention resources should be made. Regional organizations should be aware and support political initiatives taking place.
- 4 **Connection with the long-term perspective:** The long-term perspective should be taken into account when conducting preventive and quiet diplomacy, dialogue facilitation and mediation.
- 5 **Continuation of sharing experiences:** Follow-on meetings to the Workshop should be organized by the UN. Exchange of experiences should continue on a constant basis. Meetings at the regional level to discuss the progress made should take place in the context of regular bilateral meetings already held.
- 6 **Network of mediation support:** A network of mediation support units should be established. This network should allow inter-organizational exchange of information and experience.
- 7 **Co-operation with other actors:** More co-operation is needed with non-state actors and financial institutions.

### 3. Introduction

The Secretary General of the Organization for Security and Co-operation in Europe (OSCE), in co-operation with the United Nations (UN), hosted a “Workshop on Preventive and Quiet Diplomacy, Dialogue Facilitation and Mediation – Best Practices from Regional Organizations” on 6 and 7 December 2010 in Vienna. The Workshop was conceived as a follow-up to the UN Secretary-General’s Retreat “*Co-operation in Times of Crisis*” with Heads of Regional Organizations, held in New York on 11 and 12 January 2010. The objectives of the UN Retreat were to promote information- and experience-sharing among regional organizations, to strengthen the capacities of those organizations in the area of conflict prevention, dialogue facilitation and mediation, and to encourage closer and more comprehensive interaction between the UN and these organizations.

In support of the UN initiative, the Vienna Workshop focused on the collective experiences of regional organizations in the area of preventive and quiet diplomacy, dialogue facilitation and mediation. The Workshop was in line with the following recommendation of the ‘Report of the UN Secretary-General to the UN Security Council on enhancing mediation and its support activities’: *“Each of these [regional and sub-regional organizations] has developed its own unique approach to mediation based on the particular historical and cultural context of the region and organization and the experience of its previous multilateral efforts. A more systematic sharing of these different approaches as well as the lessons learned and best practices, within and between regions, could be very productive.”* (UN Security Council, S/2009/189, p. 22, para. 2)

The Workshop built further upon a high-level OSCE Mediation Retreat, organized by the OSCE’s Conflict Prevention Centre in 2009, and on the UN-OSCE Consultations on “Operationalizing Mediation Support” in Mont-Pèlerin in 2007. Moreover, within the OSCE’s Corfu Process on security-related issues, interaction with other international organizations and institutions on diverse matters, including conflict prevention and mediation, have been identified among the issues that warrant collective approaches and co-operation.

The Vienna Workshop was attended by senior representatives of the UN and 12 regional organizations. Besides the OSCE, participants stemmed from the African Union (AU), the Association of Southeast Asian Nations (ASEAN) Regional Forum (ARF), the Caribbean

Community (CARICOM), the Collective Security Treaty Organization (CSTO), the Conference on Interaction and Confidence-Building Measures in Asia (CICA), the Council of Europe (CoE), the European Union (EU), the League of Arab States (LAS), the North Atlantic Treaty Organization (NATO), the Organization of American States (OAS) and the Pacific Islands Forum (PIF). The Organization of Islamic Conference (OIC) submitted a written contribution to the Workshop. The geographic diversity of the participants allowed the discussions to encompass a wide area of expertise on preventive and quiet diplomacy, dialogue facilitation and mediation in different conflict settings and cultures. (A list of participants can be found in Annex 2 of this report.)

## 3.1. Objectives of the Workshop

Taking into account various ongoing efforts in regional organizations to enhance mediation and mediation support capacities, the Workshop provided a timely opportunity to discuss among and to learn from a wide variety of actors dealing with the aforementioned topics.

The Workshop's objectives were:

- a to engage in a mutual exchange of experiences and best practices in the area of preventive and quiet diplomacy, dialogue facilitation and mediation;
- b to facilitate networking and closer and more co-ordinated interaction on the level of senior experts and high-level practitioners in the respective organizations;
- c to provide a forum for information- and knowledge-sharing on issues such as enhancing mediation support and organizing joint trainings in dialogue facilitation and mediation, and;
- d to strengthen the capacity of the respective organizations in this field.

## 3.2. Themes of the Workshop

The Workshop was organized around three sessions: (An agenda of the Workshop can be found in Annex 1 of this report.)

### **1 Sharing lessons identified and best practices in mediation and facilitation**

This session was based on the premise that different conflicts require different approaches. At the same time, by comparative analysis over time and geographic space, regional organizations can learn from various approaches to peace processes. The topics addressed

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included the main lessons identified to date as well as ways to better tap into the knowledge available in other organizations in order to generate new ideas and learn from the mediation experiences of others.

## **2 Quiet diplomacy and local mediation efforts**

This session aimed to identify the advantages and limitations of quiet diplomacy. A number of questions were posed, such as: what options and tools are available to different organizations; what are the possibilities and limitations of field presences as instruments of mediation and facilitation at the local level; and, how are local mediation efforts supported by various organizations?

## **3 Operationalizing mediation support capacities**

The third session built further on the idea that effective mediation requires personal skills and substantial expertise, knowledge and mediation support capacity. Various issues were addressed, including: how regional organizations structure their support to mediators; how regional organizations can make use of mediation support provided by other organizations, in particular by the UN; and, how much our organizations have achieved with respect to mediation support capacity building.

## 3.3 Methodology of the Workshop

In order to allow for a candid exchange of views, the Vienna Workshop was held under Chatham House Rule, i.e. contributions were not for attribution. All invitees were active participants who contributed to the discussions in their individual capacity, rather than representing the views of their respective organizations.

In terms of methodology, each session was moderated by one of the participants, leaving the key speakers to present their experiences and/or views of their organization. (Speaker biographies can be found in Annex 3 of this report.) The presentations of the key speakers served as a food-for-thought for the discussion which followed, allowing all participants to share their experiences and lessons identified. All participants actively contributed to the discussions, ensuring that the Workshop became a real sharing and learning event.

The Workshop was accompanied and complemented by an Online Forum open to all participants and other valuable contributors. The Online Forum was aimed at facilitating information exchange in preparation of the Workshop and supporting further its objectives

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by providing an open-ended meeting and networking space. The Online Forum continues to serve as a medium for the exchange of information and contacts among regional organizations and as a repository for key documents in a confidential setting.<sup>2</sup>



*From left to right: Oscar Fernandez-Taranco, Assistant Secretary-General, UN Department for Political Affairs; Ambassador Marc Perrin de Brichambaut, OSCE Secretary General and Ambassador Francisco Madeira, Former Special Envoy for Comoros of the African Union. (Photo Credit: OSCE)*

<sup>2</sup> For more information on the Online Forum ([www.mediation.osce.org](http://www.mediation.osce.org)), please contact the Planning and Analysis Team, Operations Service in the Conflict Prevention Centre of the OSCE.

# 4. Regional Aspects of Mediation

Today, an unprecedented number of international and regional organizations are devoted to global peace and security. However, armed conflicts and other forms of collective violence are still ongoing in many regions. Preventive and quiet diplomacy, dialogue facilitation and mediation are therefore crucial tools of conflict management. This chapter provides a snapshot of the work of regional organizations on the topic, as was presented during the Workshop.

## 4.1. The Role of the United Nations

The participants recognized the leading role of the UN in the field of preventive and quiet diplomacy, dialogue facilitation and mediation. The UN has more institutional experience in mediation than any other organization and has extensive expertise in the implementation of peace agreements through the deployment of a large number of peace-keeping operations. Based on Article 2, paragraph 3 of the UN Charter on the settlement of international disputes through peaceful means, the UN has been involved in offering mediation, with varying degrees of success, in many countries and territories. In 2004, the UN High-level Panel on Threats, Challenges and Change (UN General Assembly, A/59/565) recognized the increasing demand for UN mediation and called for more resources for the UN Department of Political Affairs (UNDPA) to offer *“more consistent and professional mediation support.”* As an outcome of the 2005 World Summit, the UN General Assembly approved the establishment of a Mediation Support Unit (MSU) as the focal point for developing lessons learned, guidance and best practices, and archiving UN experience in mediation.

The UN recognizes that it is not the only actor in this field and seeks to elaborate partnerships with regional organizations. Chapter VIII of the UN Charter encourages the peaceful settlement of local disputes through regional arrangements. More recently, a report of the UN Secretary-General stated that *“it is critical that regional organizations be encouraged and empowered to take actions to restore peace and security in conflicts and areas under their respective purview.”* (UN Security Council, S/2008/186, p. 5, para. 3) Regional organizations are best placed to take such action because they have an intimate understanding of the political, social, cultural and economic underpinnings of the conflicts. Several regional organizations have developed or are in the process of strengthening their

instruments and institutional frameworks for preventive and quiet diplomacy, dialogue facilitation and mediation.

### 4.2. Different Approaches to Mediation by Regional Organizations

The specific approach to mediation depends largely on the historical, geographic and cultural context of each regional organization. The importance of context is demonstrated, for example, in the so-called ‘ASEAN way’ of dispute settlement, stipulated in the ASEAN Charter. This approach builds upon four elements, centred on mutual trust and confidence: principles of non-interference in internal affairs, quiet diplomacy, the non-use of force, and decision making by consensus. Therefore, the focus for ASEAN as a regional organization rests more on dialogue facilitation than mediation. Mediation may be interpreted by ASEAN Member States as interference in internal affairs, and it may even give legitimacy to rebel groups. Faced with intense conflicts in its region, the OIC has a mandate to settle conflicts between involved Member States, *“by peaceful means such as negotiation, mediation, reconciliation and arbitration.”* (OIC Charter, Art. 27)

A number of organizations developed or strengthened their specific mediation capacities in response to demands to become involved in conflict prevention. The experience of the OSCE on mediation goes back to the early 1990s with the establishment of the Conflict Prevention Centre and the High Commissioner on National Minorities (HCNM). The HCNM is an autonomous institution within the OSCE and is mandated to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between OSCE participating States. The OSCE’s general focus lies mainly on the three protracted conflicts: Nagorno-Karabakh, Transnistria and Georgia/South-Ossetia.

The EU has also been confronted with an increasing demand to get involved in conflict prevention. This is largely the result of the EU’s financial, economic and political power and leverage. Furthermore, the EU has a large set of tools it can utilize, namely trade, humanitarian assistance, development and stability instruments. Currently, it is engaged in high-level mediation efforts, together with the UN and the OSCE, within the framework of the Geneva Discussions, and in the dialogue between Kosovo and Serbia.

The regional organization faced with the largest need to intervene in mediation is probably the AU. It received a formal mandate on mediation from the 2002 “Protocol Relating

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to the Establishment of the Peace and Security Council of the AU". Although working mainly on an ad-hoc basis by sending out Special Envoys to crisis situations, the AU is currently working closely with the UN and other partners to build its own mediation and mediation support capacities.

A range of regional organizations do not have specific mandates for mediation, but given the scope of their engagement, they may become involved in preventive and quiet diplomacy, mediation and dialogue facilitation or other preventive activities. The CoE, for example, is mostly known for its long-term conflict prevention through initiatives in education, legal work and culture. The CoE brings a unique perspective on mediation through its two specific legal bodies: the European Court of Human Rights, where States seek assistance, and the Venice Commission, a body of independent constitutionalists that is often used by politicians and outside organizations seeking conflict solutions with European standards.

The PIF began as an organization to promote economic growth, but was faced with security threats emanating from the Pacific region. Therefore, it came to assume responsibility for security-related threats. In 2000, the PIF had to address political turmoil in Fiji and later in the Solomon Islands, resulting in the so-called Biketawa Declaration which provides a framework for pursuing collective responses to security crises affecting PIF Member States, including quiet diplomacy and third party mediation. Given the previous lack of institutional experience in conflict intervention and the need to respond to differing national circumstances, the PIF has so far applied differing approaches to addressing security challenges affecting Fiji, the Solomon Islands and Nauru. Based on the common principles and practices outlined in the Biketawa Declaration, all three efforts included quiet diplomacy, with varying degrees of effectiveness.

Other organizations, such as NATO, do not have an explicit mandate for mediation. Crisis management is however one of NATO's fundamental security tasks. The record of NATO's successful co-operation with the UN, the OSCE and the EU particularly in the Western Balkans was highlighted. NATO's continued efforts to better co-ordinate and build an effective interface with other actors was stressed in the context of concrete references to NATO's enhanced contribution to a 'Comprehensive Approach' of the international community. CARICOM also does not possess a conflict prevention mandate and there has not been a need to put such a mechanism into place. New players, such as the CSTO and the CICA, are exploring the field. The CSTO has focused on the use of confidence-building



measures in the framework of preventive diplomacy and is currently working on establishing its own crisis reaction system.

### 4.3. Different Operationalization of Mediation

Most organizations possess the human resources to fulfil a mediatory role. The appointment and use of Special Envoys or Special Representatives is the most common mediation 'tool'. But also other executive levels, being the Chairperson, the Secretary General or other high-level representatives, may be the core around which a mediation team can be formed. Alternative tools may include Summits/Conferences, the External Action Service, the Parliamentary Assembly or special courts. The EU and the UN also have the financial possibility to outsource mediation. On a different level, field missions have an important role to play in mediation. Local mediation can, for instance, take place within Common Security and Defence Policy missions of the EU in order to better implement their mandate and as part of an exit strategy. OSCE field operations very often facilitate dialogue and mediate between local communities and the UN has recently started deploying peace and development advisers in the offices of their Regional Coordinators to address conflict prevention from political and structural perspectives.

Some organizations are following the example set by the UN on developing mediation support capacities. The 2009 "Concept on Strengthening EU Mediation and Dialogue Capacities" identified four areas of mediation support: providing operational support, training and coaching, outreach and networking, and knowledge management. An AU Mediation Support Capacity Project is currently taking place in co-operation with civil society partners. In the OSCE context, the 'Corfu Process' and the recent Review Conference have emphasized the importance attached to mediation support. Yet other organizations, such as the OAS, are also exploring possibilities for setting up a unit dedicated to mediation for political analysis and scenario development.

The Workshop confirmed that the different focuses on conflict prevention by regional organizations should be seen as comparative advantages. Knowledge of the activities and possibilities of other regional organizations is therefore crucial, and the sharing of information in settings such as this Workshop directly benefits conflict resolution overall.

# 5. Common Challenges to Mediation Faced by Regional Organizations

The Vienna Workshop brought together representatives of regional organizations from diverse cultural, geographic and organizational contexts, and these backgrounds were reflected in the discussions. Despite these disparities, one of the most important outcomes of the Workshop was a shared feeling among participants that regional organizations face similar challenges when conducting preventive and quiet diplomacy, dialogue facilitation and mediation. Some of these common challenges are inherent to mediation, while others apply to regional organizations. This chapter provides an overview of the key common challenges to the aforementioned topics within regional organizations which were identified during the Workshop.

## New conflict dynamics

The first challenge lies in the difficulty for a regional or any large organization to keep up with the continuously changing conflict landscape. Most regional organizations were established to deal with certain security threats in a particular time and framework, for example in colonial or Cold-War settings. The development of intrastate conflict dynamics has led to new problems resulting primarily from the transformed agenda of conflict actors. Moreover, the threats posed by terrorists, drug traffickers, human traffickers, so-called 'resource warriors', etc. have become predominant on the global security agenda. When driving factors change from political to economic and even ideological objectives, the room for negotiation often decreases. These new threats require not only more cross-border co-operation, but the fractionalization of conflict parties have enhanced the need to address issues of a growing complexity. The diplomatic instruments of regional organizations are not necessarily well prepared for such increasingly complex situations. The participants of the Workshop identified thus the need for international organizations to adapt, including to transnational threats.

## Institutional challenges

The participants identified a number of internal challenges for regional organizations to become involved in preventive and quiet diplomacy, dialogue facilitation and mediation.

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These are often intrinsically linked to their general institutional structure, scope and practices; bureaucratic processes are seen as too heavy and/or too slow, regional organizations are dependent on the political will of their Member/participating States and large organizations may be seen as too leaky to conduct quiet diplomacy. As a result, even when the tools, skills and knowledge are in place, slow co-ordination and deployment mechanisms may lead to valuable time being lost in the crucial first few weeks of a conflict. Early action remains problematic for any regional organization. Thus, when regional organizations get involved in mediation, they will be repeatedly confronted with these inherent difficulties.

Other internal challenges also exist. Capacities on mediation in most regional organizations are still relatively young. The lack of such robust institutional capacities and/or the absence of clear rules and regulations may hamper the setting up of a dialogue facilitation or mediation process. This was acknowledged by many participants, who were aware that most regional organizations find themselves in a similar situation. While a degree of institutional flexibility is welcome, and is sometimes necessary, participants agreed that ad-hoc processes would benefit from greater professionalization. Empirical approaches to mediation involve steep learning curves.

Another challenge is posed by internal rules and regulations and the culture of an organization. Annual rotation of Special Representatives and a high turn-over of staff may hinder continuity and the retention of institutional memory in processes related to preventive and quiet diplomacy, dialogue facilitation and/or mediation. Conflict parties, wishing to extend or block those processes, can take advantage of such flaws.

### Lack of political will

The participants of the Workshop referred to several concrete examples to demonstrate that even excellent dialogue and mediation efforts may fail if they are not backed by political will. The reasons for a lack of political will of Member/participating States can vary. Examples show it can originate from a fear of failure and criticism, or from trepidation at being seen to set a precedent when recognizing a non-state actor, especially when Member/participating States are faced with secessionist movements back home. Other reasons identified may be the involvement or lack thereof of external powers which have significant interests, influence and/or leverage. Sometimes, stakeholders may decide that a status-quo in frozen/protracted conflicts may be preferred over a new outbreak of violence,

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and that it would be better ‘to agree to disagree’ due to the importance of stability from a geopolitical analysis.

In addition, regional organizations are not static from a long-term perspective. Just as their environment changes, regional organizations are in continuous development and this may influence their collective agenda. The involvement of regional organizations in a conflict is dependent on the political climate and is therefore unpredictable over time. Participants stated that continuous efforts should be made to convince Member/participating States that conflict prevention is ultimately in all of their interests.

### Lack of resources

Scarce political will can also result in a lack of resources for preventive and quiet diplomacy, dialogue facilitation and mediation. Even though conflict prevention is recognized as an extremely efficient and effective tool, the common observation was that the bulk of investments still lie with post-conflict responses. One significant cause for this imbalance may be the difficulty of measuring whether the absence of conflict was due to the effective application of conflict prevention measures, particularly as successful conflict prevention does not naturally lead to visible, attributable results. Since much is related to this misconception, quantification and demonstration of results are needed for mechanisms to be better understood. Greater emphasis should be put on making clear to governments that the current peacekeeping efforts are unsustainable and that investing in conflict prevention is less expensive and more closely linked to their national interests, particularly in the long-term. A positive sign comes from ongoing informal mechanisms that result from a change of attitude among newly emerging powers which would like that more attention be given to preventive diplomacy. The initiative of Turkey and Finland in suggesting a UN General Assembly resolution to promote mediation was highly welcomed by the participants.

### Perception of impartiality and neutrality

Ideally, a mediator is impartial and neutral towards all conflict parties. This especially matters because conflict parties will scrutinize the mediator’s motives and potential prejudices of being involved, and therefore these challenges can influence the acceptability of a mediator in a process. If a mediator is not acceptable to conflict parties, the relevance and success of the diplomatic efforts are very unlikely. In cases when conflict parties doubt

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the intentions of a regional organization, additional time may be required to explain the mediator's lack of own agenda or interests in the talks before the process can begin.

However, even when mediators have the best intentions, regional organizations can experience some serious challenges. In this respect, several participants stated that the need for impartiality and neutrality as a mediator often clashes with his/her obligation to uphold the principles and values of the respective regional organization. This is particularly the case when dealing with secessionist movements when one of the principles of the organization is territorial integrity. As a result, a mediator may attempt to act neutral, but intrinsically cannot be so. In fact, the missing perception of neutrality may even prove to be counter-productive and could be used by a conflict party as an excuse not to engage in a mediation process. Such principles can thus oblige a regional organization to take a passive role and await new opportunities to intervene in the future.

Another factor that may undermine a peace process is neglect of historical legacy. Regional organizations should take into account their external standing over time, especially if they or a Member/participating State played a part in a previous conflict involving the same parties. Perceptions of its non-neutrality and partiality can still exist among the population. An incorrect assessment of such perceptions, or a mismanagement of the resentments of the population, may seriously damage the credibility of the mediator. If such historical legacies cannot be managed, it may be best for a regional organization to remain in the shadow of other regional organizations.

### Time factor for intervening

*"The most favourable time to resolve disputes is at an early stage, before they turn into violent conflict – when issues are less complicated; parties fewer; positions less hardened, relationships less damaged; and emotions more contained."* (UN Security Council, S/2009/189, p.5, para. 10)

Participants agreed that, although the time factor can make the difference between success and failure, the timing of an intervention is challenging. The difficult dilemma is balancing the imperatives of responding as early as possible yet waiting until the time is 'ripe' for the sides to enter into constructive, meaningful discussions aimed at reaching an agreement.

Coming in early enough to prevent an escalation of violence requires a 'crystal ball' to predict the consequences of a certain event. Unfortunately, often good information is lacking or an in-depth analysis and judgment is absent or ignored. Having an effective

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monitoring system that provides timely information may be one way of overcoming this problem. But even then, it may not be sufficient to bridge the gap between early warning and early action. Even if signals are clear that escalation is likely to occur, institutional burdens may then still influence the readiness to initiate early action.

Identifying the time when conflict parties are ready and willing to come to a solution also poses a challenge. Clear-cut factors to assess the ripeness of a conflict for negotiations do not exist, and there is a risk of worsening the situation by going in too early. Participants gave examples of situations where the timing was not right and failure to reach an agreement followed. However, in one particular example, when the same proposal for an agreement was presented a year later, all parties were willing to sign. Mediators should avoid underestimating the learning process that conflict parties may have to go through before being able to openly engage. This is the so-called ‘maturation’ process. In general, a conflict is ‘ripe’ for an agreement when conflict parties recognize a ‘hurting stalemate’, namely that negotiations and compromise are the best or only way of reaching their own goals and, at the same time, that the other side can and will deliver what is agreed.

### Integrating root causes

Integrating root causes into a mediation and dialogue process provides a better chance for a lasting and sustainable peace agreement. However, this is challenged by two factors: the pressure for quick success and the importance of local ownership.

Participants acknowledged that the need to address root causes often clashes with the pressure on mediators to aim for quick success. Due to this pressure, mediation processes often deal with immediate concerns and leave the root causes for the future. Time is a precious commodity in a mediation process, yet a lack of a comprehensive approach endangers the sustainability of the outcome. Furthermore, reaching a swift conflict settlement may not be possible since time is also needed to set-up the entire negotiation structure, including the pre-conditions for the talks, the inclusion of all actors and the establishment of co-ordination mechanisms with other partners and stakeholders. Additionally, it may take months, maybe even over a year, before a mediator can actually fully understand the conflict, including its root causes, and start to work effectively with the parties. Nevertheless, even if no immediate results are obtained, the mere process of talking while gaining a greater understanding can be important. *“Time truly does pay dividends”*, as one Workshop participant said.

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The pressure for quick success may also negatively affect the follow-up to the mediation process. That is to say, root causes have to be carefully monitored during the implementation phase of a peace agreement. In that respect, continuity in monitoring the implementation is essential as is adapting the agreement when necessary. Transition to the next logical partner within the conflict cycle is crucial to ensuring that the mediation process fits with the overall conflict resolution efforts. However, due to settlement fatigue or a lack of resources, this may not always be possible.

Even when root causes are taken into account, the danger exists that the settlement agenda is imposed unilaterally by external actors. Local buy-in to the process is crucial. The participants emphasized that the expectations of the population regarding a peace process are not necessarily the same everywhere. In some countries, for example, a truth and reconciliation process, as defined by external mediators and based on positive experiences gained in settlements elsewhere, may not meet the needs of that specific country. This would be particularly the case in instances where the local population may have its own approach to dealing with reconciliation. Another mistake often made by external mediators is to blame local leaders for all wrongdoings, as that does not provide a successful basis for negotiations. In conclusion, participants observed that a negotiation process may only be effective when the mediator adapts him/herself to the speed and conditions allowed by the conflict parties and addresses their needs, interests and positions. Forcing a time line may prove to be counterproductive.

### Managing spoilers

One of the main challenges to a mediation process is posed by the actions of spoilers who see benefit in a failure of the process. For them, conflict is more beneficial than peace. There is no general rule on how to deal with spoilers; irrespective of whether they are included or excluded, the presence of spoilers will inevitably pose a serious risk to the peace process. Nevertheless, the Workshop participants were of the opinion that spoilers must be part of the peace process in some way, including because they must remain engaged and interested in its outcome so that they do not return to their weapons. Conversely, excluding spoilers can lead to more instability, especially as isolation can harden their positions and spoilers can further undermine a country's stability, often on a larger and more complex scale. The participants shared examples of when refusal to deal with certain actors only resulted in their occupying more 'extreme' positions.

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Dealing with spoilers requires not only time but also a strong political will. Moreover, it confronts the mediator with the dilemma of having to balance legitimacy, inclusiveness and the sustainability of the process. While it is important to provide spoilers with incentives to support the peace process, the risk exists for the mediator to distance him/herself from the local context. For instance, the population or other stakeholders can think the involvement of spoilers in a process is illegitimate. They may also not understand why perpetrators of violence have the right to be heard or receive benefits. Proper and clear communication is necessary at this point to convince all interested stakeholders of the importance of including spoilers for the process to remain sustainable. The main arguments should be that no government or population can have lasting peace with the sustained presence of spoilers on its territory. Should the mediator not be in a position to address spoilers to the satisfaction of the conflict parties, he/she may become accused of being biased and thus no longer be in a position to execute his/her function.

### Competition among mediating actors

The participants acknowledged that the multiplicity of international and regional organizations active in a conflict can create overlap and often complicates the mediation process. Competition among actors can also be damaging for the mediation process, including in the case that conflict parties attempt to take advantage of the presence of multiple brokers and conduct so-called 'forum shopping'. Moreover, parallel mediation efforts are very unlikely to lead to sustainable conflict prevention. Co-ordination and co-operation among international actors is thus fundamental, but can be hampered by differences in agendas, political will, levels of interests, leverage, among others. Also, personal or institutional dynamics may distort partnerships. In addition, the landscape of active mediating actors in a conflict area is dynamic. This will affect a carefully balanced division of tasks between the regional organizations operational in the same area. New actors may arise or become interested, while an altered political climate can result in the withdrawal of others. In some conflicts, too many organizations have an interest in intervening, while not one organization is willing to mediate in others. Past examples show that conflict parties may ask additional mediating actors to intervene because they are not satisfied with the current processes or they want to gain time. Those other actors may also be non-governmental actors, such as NGOs working on mediation, or private persons. Local actors, such as civil society, may also have established their own structures looking for solutions. This plethora of mediating actors in a constantly changing environment presents a considerable challenge for any regional organization interested in mediating. Finding a 'zone of



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comfort' in which all actors can contribute according to their comparative strengths may prove to be a time- and resource-absorbing exercise.

### Balance transparency and confidentiality

One of the challenges most highlighted in the discussions of the Workshop was how to balance transparency and confidentiality. The challenge was particularly reflected in three aspects: quiet diplomacy, the role of the media and the sharing of good practices. *"Quiet diplomacy is conducted away from the glare of public and media attention. It is designed to encourage the parties to be more open and forthcoming on the basis that they are acting in confidence and are effectively off-the-record,"* said one Workshop participant. Quiet diplomacy entails the absence of any media involvement, usage of publicity or backing by force. The challenge is to find a balance between transparency and confidentiality, because such an approach has advantages and disadvantages. First, quiet diplomacy engenders trust and reduces the potential political costs for leaders. Although not being able to go public can be seen as a disadvantage, this can be neutralized through co-operation with those international organizations which can pursue a public path. Quiet diplomacy also makes it easier to achieve local ownership, but compliance measures can unfortunately be harder to enforce when no public pressure can be applied. Quiet diplomacy is further perceived as a more flexible way of diplomacy although it can present a dilemma with respect to transparency, especially when the latter can be beneficial. For example, publicity may force conflict parties to come to the table. Clear rules on balancing transparency and confidentiality are unfortunately absent hence a thin line must be walked.



Ambassador Knut Vollebaek (left), the OSCE High Commissioner on National Minorities, visits the site of an ethnic pogrom in the village of Mayevka, Chiu region of Kyrgyzstan, 27 April 2010. (Photo Credit: OSCE)

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The involvement of the media is a controversial issue in quiet diplomacy and its role is a factor of concern for mediators. On certain occasions, the actions of the media might be beneficial, but at other times publicity poses a serious risk to mediation since the entire process can fail if the confidentiality setting is not maintained. The media brings along some characteristics that contrast with the objectives and rationale of quiet diplomacy; for example, the media may have its own agenda which does not necessarily coincide with the agenda of mediation. Further, when exposed to the public, parts of the negotiation may become unpopular. Also, conflict parties can play and be played against each other through media exploitation. Conflict parties often attempt to use the media to put forward their position at the disadvantage of other parties and can also utilize it to pressure a mediator to prevent the process from continuing. In such cases, it can be preferable to put quiet diplomacy aside and publicly and repeatedly announce that no compromise will nor can be made under such conditions. The participants stated that, because of the risk related to media involvement, a consistent approach by all negotiating parties is crucial. They referred to several examples where the lack of a consistent approach prevented quiet diplomacy from functioning. An agreement among all actors on their contact with the media may bring advantages and avoid suspicion; indeed such a consensus can be a condition of starting a mediation process.

The delicate balance between openness and confidentiality is also relevant to the sharing of good practices among the regional organizations involved in preventive and quiet diplomacy, dialogue facilitation and mediation activities. In that respect, a balance must be struck between not revealing information which is too case-specific and/or politically sensitive and sharing information that is so general and sanitized that it is virtually worthless. While this challenge may lead some sceptics to claim that the collection of good practices is futile, including because knowledge gained in one case is unlikely to have relevance for another, the participants remained convinced that sharing experiences, as took place in the context of the Workshop, is crucial to avoid the repetition of mistakes. Partners should be kept informed of the intentions and next steps of others in a mediation process. On some occasions, information sharing does not have to be complicated and a simple message – for example, that the mediation process failed – can be enough. Unfortunately, competition may avoid such honest information exchanges from taking place. The Workshop indicated that many regional organizations struggle with the issue of knowledge management.

## 6. Good Practices from Regional Organizations

Despite the challenges described above, regional organizations have an added value in conflict prevention and are often required to get involved. Several good practices on preventive and quiet diplomacy, dialogue facilitation and mediation were brought up in the Workshop discussions. This chapter provides an overview of those good practices.

### Partnerships are a key for success

In a global world with regional organizations often operating in the same geographic space, the Workshop participants recognized that one of the crucial requirements for success are partnerships with other stakeholders operating in that same region or country. Regional organizations can contribute significantly to stabilization through information sharing, joint operations and a shared strategic approach. In the area of mediation, a co-operative approach also means that the leverage of the mediator can be increased and forum-shopping avoided. Moreover, organizations should have clear mandates, knowing where these can bring benefits, and effective co-ordination mechanisms. Organizations should also take a realistic approach when their intervention is not accepted or requested



*The Co-Chairs of the Geneva discussions, Ambassador Antti Turunen of the UN, Ambassador Pierre Morel of the EU and Ambassador Bolat Nurgaliyev, the Special Representative of the OSCE Chairmanship, at a news conference in Geneva on 27 July 2010. (Photo Credit: OSCE)*

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by a host country. In case of co-mediation, a joint decision on who should be the lead actor in a specific situation should be taken based on an assessment of what each organization can contribute and on an analysis of comparative advantages in terms of acceptance, leverage and understanding of the conflict. The recognition of a lead actor by other actors provides a sustainable basis for co-operation and a clear division of labour. The establishment of common rules and principles and shared terminology on the mediation process strengthen these partnerships.

Partnerships may also be established with individual States or so-called 'Groups of Friends'. Such regular co-ordination mechanisms may allow for a better control of the negotiation process and a more profound exchange of information. An additional good practice may be to involve States with political or economic leverage, which can push the mediation process forward. States also have comparative advantages: some States may be in a better position to bring parties to the table, whereas other States can complement the mediation process with economic assistance, for example.

### Selecting the most appropriate mediator and mediation team

Leverage is only useful when it is used wisely and effectively, and when it is combined with the credibility of a third-party. This requires that the third-party has a thorough understanding of the conflict, a strong sense of cultural awareness of the conflict-afflicted country and other critical mediation skills and techniques.

The Workshop participants underlined that on an individual level a good mediator needs two types of skills: ample experience in mediation as well as relevant mediation skills; and an in-depth understanding of all aspects of the conflict dynamics. In addition, the cultural background of a mediator as well as his/her understanding of the cultural background of the country where the conflict is taking place, needs to be taken into account. This is of particular importance when selecting mediators from a roster of experts. By knowing the culture, a mediator will be able to recognize better the motivations which attract conflict parties to the table. An appropriate understanding of the conflict and culture may in fact entail a learning process for the mediator himself/herself, requiring a sense of humility to come to this realization. Additional time may thus be beneficial for this purpose. A 'good' mediator must also be honest and critical regarding his/her role in the mediation process. When the lead mediator can no longer contribute to the process, either for negative or positive reasons, it may be useful to replace him/her. Should this happen, it is fundamental that a transfer of knowledge takes place to the successor,

and if possible, also cross-institutionally. Otherwise conflict parties may take advantage of such a situation and win time by repeating previous discussions and phases of the ongoing mediation process.

The acceptance of a third-party depends considerably on the perception of its impartiality and neutrality. In response to the challenges of impartiality and neutrality linked to regional organizations, the advantages and disadvantages of different organizations and various parts of one organization need to be balanced. Some organizations may be seen by conflict parties to be more neutral and impartial than others. But also different parts – institutions, centres, levels and duty stations – within a regional organization can be perceived as having various degrees of impartiality and neutrality. Therefore an internal assessment in terms of acceptability should be made to identify the most appropriate representative of an organization in a certain mediation process. Field offices, for instance can carry a different perception for conflict parties than headquarters. They may perhaps be perceived as having a stake in the conflict and not being neutral enough. A specially designated Special Envoy or Representative may, in contrast, be seen as more impartial. In addition, it may be useful to clarify existing confusions towards the conflict parties on the role and interdependency of the various units within an organization engaged in a mediation process. For example, if it would be preferred that a field office represents a third-party, it may be useful to point out its comparative advantages to the conflict parties as involving field offices in mediation may, among other factors, prove beneficial because of their deeper knowledge of the region.

A lack of significant political will may hinder the process substantially, and thus plays an instrumental role in selecting the right mediator and mediation team. Ideally, political will results in a mandate that authorizes intervention in a conflict, providing a mediator with the necessary legitimacy. However, strong political will is often absent and leads to a paralysation of a regional organization in intervening in that conflict. One way to overcome dependency on political will can be the establishment of an independent institution within a regional organization, such as is the case of the OSCE's HCNM. The High Commissioner does not require political consensus to react preventively and does not need an invitation from a host country. In exchange, the HCNM operates confidentially and relies heavily on quiet diplomacy.

When looking at increasingly complex conflict situations, one participant believed that it would be beneficial to combine the strengths of independent mediators with the mediation

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support capacities of regional organizations. Independent mediators are to be understood as private individuals not part of the organization, but temporarily employed as consultants with a specific mediation task. There are several benefits to such an approach – for one, the mediator does not only have to rely solely on his negotiation and personal skills to run a mediation process, but he/she will also be provided with additional support, which can range from process design to training or knowledge sharing. Further, an external mediator may not have to struggle so much with questions regarding his/her impartiality. Finally, he/she would not necessarily be hampered by the bureaucratic processes of regional organizations or time loss to reach consensus among Member/participating States.

### The good practice of time

Regional organizations identified several good practices in managing the time factor when it comes to resolving disputes. To settle conflicts in a timely manner, regional organizations should have the ‘machinery’ required for the mediation process, as one participant put it, *“established and oiled beforehand”*. This involves a need for comprehensible entry and exit strategies, clear rules of engagement, pre-deployment dossiers and briefings, and an appreciation that any involvement may be prolonged. To be able to do so, the existing tools, skills and knowledge must be complemented by articulate partnerships and knowledge mapping exercises beforehand.

During the mediation process, time and patience is required to deal with a multiplicity of activities: a ceasefire may have to be reached to prevent further violence and principles for negotiations have to be agreed upon. Time is required to deal with the initial humanitarian, economic and social consequences of violence. Co-ordination mechanisms with other stakeholders have to be set up. In some cases, the mediation process serves the function of convincing external actors to discontinue their support for conflict parties. Finally, a mediation process should run in parallel with broader peace building programmes and socio-economic development. All these processes take time and can not be rushed.

It is not unrealistic to assume that a comprehensive solution for ethnic conflicts may become a lifelong process. Readiness for long-term investment on the part of international actors is thus a prerequisite for a sustainable solution. In discussing lasting outcomes, the Workshop participants focused on the importance of elections as a step forward in the conflict management process. On the one hand, participants agreed that the event of ‘normal’ elections after an ethnic conflict signifies the integration of national minorities into

the system and the acceptance of their rights. It indicates a positive development in terms of peoples' representation in the decision-making process. On the other hand, elections should not be seen as the ultimate solution, but as a part of the process. What happens before and afterwards is as crucial as the actual event. Elections have often given rise to reappearance of violence. Unfortunately, Western democracies tend to overemphasize the importance of the timely holding of elections. There is no point in holding elections if an opposition is absent or basic civic freedoms, such as freedom of speech, are lacking. Even in well established democracies, challenges to stability may emerge. The Workshop participants recognized that more analysis was needed on how mediation and electoral processes interchange and how they can complement each other.

### Multi-track diplomacy

The participants identified a tendency to focus on high-level interaction when talking about mediation. A multi-track approach to mediation, however, is advised and may produce better results. Since practical day-to-day dialogue and mediation can be very effective, a number of field staff of regional organizations are already involved in local mediation efforts. Especially in situations of ethnic unrest, local mediation efforts between communities may result in concrete changes in the everyday problems of the population. For example,



*Children from both sides of the River Nistru/Dniestr spent ten days at an OSCE summer camp in Vadul lui Voda, Moldova, August 2010. (Photo Credit: OSCE)*

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basic mediation activities can directly benefit the education system through promoting the training of state language teachers and the integration of minorities into society. Projects to broadcast the news in the local language can bring ethnic groups closer. Exchange of information on prisoners can enhance trust between conflict parties. Such initiatives must be supported as they provide concrete progress and result into a form of co-operation between the local population. On a long-term basis, local mediation efforts are more likely to be sustained, even when local authorities are at first hesitant to get involved in such activities. For instance, it is much easier to find common ground on shared interests such as water or electricity supply. In addition, these practical initiatives often influence the higher level of mediation and benefit the overall political process. A concrete example mentioned at the Workshop was of an incident where a local population in an inter-ethnic conflict refused to pay electricity bills since this was perceived as an expression of their political opinion. Using mediation to generate a solution between the local population and the authorities was one of the ways in which confidence and trust were re-established. A solution to this problem built confidence among the ethnic groups.

Local mediation can be performed by the staff of regional organizations but in particular by local mediators themselves, such as local authorities or civil society groups. This provides a degree of continuity and stability, even when the international actors change. Regional organizations may thus wish to promote these local processes through training and logistical support. When appointing local mediators, priority should be given to persons with real influence within the wider community, for example representatives of ethnic minorities, law enforcement agencies and the business community.

### Involvement of civil society

Among all Workshop participants, the involvement of civil society and the private sector was considered fundamental in a mediation process. For example, actors belonging to civil society may provide information that triggers conflicting parties to come to the negotiation table. When a third-party actor is not accepted on the high-level, civil society may at times be the only point of contact in a country. Informal avenues can then be explored through interaction with civil society and capacities within a society can be strengthened in anticipation of future opportunities to continue the peace process. In the case of ethnic conflicts, it was noted that mediators operating at the high political level should also maintain contact with the leaders of different ethnic groups and carefully maintain these networks to influence both sides.



### Importance of details

Paying attention to detail was identified as an important element in the mediation process. The good management of details can promote dialogue. A first example is the location of the talks. When negotiations slow down, changing the location of the discussions can support the talks or bring them back on track. An external location can help increase the focus of the discussions. Another factor is the agenda and the decision of what items to place on it. Even the name given to the talks has sometimes been an impediment to the participation of some parties, especially if there are historical sentiments attached to the given name. The availability of logistics can also greatly benefit the process. For shuttle diplomacy, having a dedicated light aircraft at the disposal of the mediator or suitable radio communications may prove to be crucial. The need for local contacts and the support of regional offices were also mentioned. The list of important details can also include the exact day of arrival, the level of contacts, managing expectations of the population about the process, who to meet first, the involvement of cameras, the allocation of seats in a plane, and relaying the right message at the right time. The proper management of such details can build confidence and trust. Good practice showed the importance of having mid-level experts in the mediation team who provide a link between the senior-level mediator and the subject matter experts, and who deal in particular with the management of details.

### Flexibility

Flexibility was repeatedly identified as a requirement for any mediation process. A mediator has to be able to constantly adapt the process to changes and new circumstances over time. This may involve using a mix of different negotiation techniques – from quiet to open diplomacy. Flexibility further applies to a regional organization's mandate to be involved in mediation. While a clear mandate can provide legitimacy, an ambiguous mandate or an overall lack of a mandate can allow the mediator space for manoeuvre. A mandate which is too clearly defined may actually inhibit a mediator from being able to adapt to a changed environment. A vague mandate may thus be preferred over a concrete mandate with limitations. Flexibility also refers to terminology. Using vague terminology towards the public, not to be confused with unclear terminology among stakeholders, can be useful to create flexibility in a negotiation process and to manage expectations. Finally, mediation tools should remain flexible in case local capacities break down or co-operation with international actors change.

# 7. Operationalizing Mediation Support Capacities

The discussions reconfirmed the importance of a mediation support capacity as an integral part of mediation. Efficient and effective mediation processes require preparation and support throughout their various phases. Mediation support can offer the mediator valuable assistance necessary to succeed. An ideal mediation support unit would be able to tackle most of the challenges indicated above. Several regional organizations are already in the process of establishing more professional mediation support structures.

## 7.1. United Nations Mediation Support Unit

The UN Mediation Support Unit (MSU) may serve as a model for other regional organizations wishing to develop or strengthen their own mediation support capacities. Therefore, the activities of the MSU are outlined here. The three key components of the MSU are:

### **a – Operational support**

Operational support may consist of practical support (e.g. briefings, one-on-one meetings, mediation skills training, and strategy development workshops), written analytical support (both thematic and on mediation processes), short-term deployment of experts and funding of mediation processes. For this task, MSU relies on a small team of 12 professionals at the UN Headquarters in New York and on a stand-by team of seven subject matter experts to be deployed within 72 hours. After this initial deployment, a roster of 250 experts is at the MSU's disposal, divided into three categories: senior-level experts, operational-level chiefs of staff and experts in subject matter areas such as security, Disarmament, Demobilization and Reintegration (DDR), human rights and gender. The decision for MSU to get involved in a certain conflict situation can be mandated, requested by mediators, or based upon an in-house assessment.

### **b – Capacity building**

Capacity building is aimed at UN staff and regional organizations. An example of the latter is the partnership with the AU which led to joint efforts in Somalia, Kenya and Darfur. A new partnership was established with ASEAN and mediation experiences are shared with the EU. Joint trainings have been undertaken with the OSCE and a Framework for Co-operation

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was signed recently with the Southern African Development Community (SADC) in Madagascar. The MSU also contributes to the Mediation Support Network that brings together key NGOs and think-tanks from various regions to exchange experiences.

### **c – Depository of knowledge**

Knowledge management is to become the focus of the MSU in 2011. This domain is intended to harmonize the operational with the more intellectual dimension of mediation. Knowledge management requires a balance between the need for transparency and the need for confidentiality. The UN Peacemaker's website has already proven itself a valuable tool in the collection and distribution of knowledge.

## 7.2. Opportunities for Co-operation

Several opportunities for more synergy and co-operation among regional organizations on the issue of mediation support were proposed:

### Conflict analysis/pre-deployment briefings

Based on the importance of having the knowledge and understanding of local contexts, mediation support should play an important role in providing conflict analysis and pre-deployment briefings to mediators. Without good mediation support, Special Envoys or Representatives are often dependent on their own networks to establish contacts in the conflict area and to gather information. For an organization, it is also beneficial to streamline the knowledge and contacts of Special Envoys or Representatives, and to provide them with a continuous stream of information. Professionalization of such a system requires resources and a strategic partnership with other organizations.

### Training

Joint training events have already taken place between several organizations. They have proved to be very useful in terms of skills enhancement and exchanges of experiences, case-studies and knowledge management. In addition, joint trainings have allowed ties between organizations to be strengthened, networks to be built and cohesion to be enhanced. Joint trainings should thus be continued and intensified. One suggestion was to develop country-specific trainings. Another was to include mediation training in diplomatic academies of member/participating states or of regional organizations.

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## Knowledge management

Although knowledge management was identified as one of the most challenging areas, participants highlighted opportunities for closer co-operation in this field. They were of the opinion that many experiences can and should be shared among regional organizations, despite occasional competition. Especially in terms of constant staff change and continuous transformation of the involvement of regional organizations, cross-institutional knowledge sharing is vital for successful mediation. Therefore, departing mediators should be appropriately debriefed. Mediation-support units can assist in collecting this information, but also in assessing what information is relevant for the mediators, specifically in terms of early warning. A community of practice can be helpful in this aspect. Regional co-operation on knowledge management can also lead to new ideas which can move the mediation process forward. The OSCE Online Forum, created in support of the Workshop, may serve as a platform to exchange experiences in a confidential setting.

## Roster of experts

Sharing rosters of experts is a concrete and potential way of co-operating and avoiding duplication, particularly as it is quite likely that the same experts would already be listed on multiple rosters. Sharing rosters of experts was especially welcomed in a regional context, although care must be taken to avoid using non-regional experts, as they may not have the required knowledge on other regions and can thus prove to be counterproductive to the mediation process. In at least one case, it was noted that the respective regional organization had decided not to build up its own roster of experts, but hoped to be able to rely on the UN roster.

## Local capacity building

The participants recognized the value of sending mediation experts on an immediate, short-term basis. The resources of the UN and EU are very helpful in this regard. However, conflicts require a long-term approach. Therefore, local capacity building is pivotal to ensure a follow-up to the implementation of the initial peace agreement and guarantee continuity. In addition, local mediators are expected to better understand the attitudes and behaviours of the conflict parties. A regional mediation support mechanism would be more sustainable, but requires time and resources. A call was made to better direct resources towards providing technicalities and specific expertise. Another good way to

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build capacities is the exchange and secondment of staff. This way, staff would have a good understanding of how other organizations work on mediation and this hands-on experience could flow directly back into their organizations. The UN may wish to organize a specific workshop with each regional organization to enhance its capacity building.

### Partnerships

Partnerships are vital for the work of preventive and quiet diplomacy, dialogue facilitation and mediation. Mediation-support units bear responsibility for setting up these partnerships in advance of a conflict prevention involvement. A first basic task is the exchange of staff contacts in the different regional organizations working on the issue. Furthermore, regional mapping would help in identifying relevant partners to strengthen regional co-operation. Different themes, depending on each region, may have different priorities as far as co-operation is concerned. Mapping would also allow the involvement and focus of the various regional organizations to be identified. This would benefit the overall outcome of the mediation as the organizations involved would have the knowledge to build on each other's comparative advantages.



*From left to right: Ambassador Herbert Salber, Director of the Conflict Prevention Centre, OSCE and Ambassador Marc Perrin de Brichambaut, OSCE Secretary General (Photo Credit: OSCE)*

### 8. Key Recommendations

The participants agreed upon a number of key issues important for successful and effective preventive and quiet diplomacy, dialogue facilitation and mediation:

- The need for common terminology;
- The requirement for a clear political decision of regional organizations and their Member/participating States to engage;
- An appreciation of the importance of the time factor;
- An in-depth understanding of the culture and context;
- The importance of confidentiality and credibility as elements of the mediation process;
- An in-depth understanding of each conflict side's perceptions of the negotiation process;
- The will of parties to negotiate and reach an agreement;
- The involvement of local mediators and local mediation activities;
- The importance of confidence-building measures;
- The support of those who can provide 'carrots' as incentives to keep the mediation process going;
- The necessity to follow up the mediation process with a procedure to monitor the implementation of peace agreement provisions;
- The need to strengthen mediation-related expertise in organizations.

The following key recommendations were drawn from the ideas shared at the Vienna Workshop:

#### The need for more synergy

- More synergy between regional organizations is essential when it comes to mediation processes. There is a need for more cohesion and structured co-ordination mechanisms. More joint efforts should take place.
- The different focuses on conflict prevention by regional organizations should be seen as comparative advantages. Knowledge of the activities and strengths of other regional organizations is therefore crucial, and the sharing of information in such Workshop settings directly benefits conflict resolution overall.

## KEY RECOMMENDATIONS

- Co-ordination and co-operation among regional organizations should replace competition.
- Similar workshops should take place on other conflict topics besides preventive and quiet diplomacy, dialogue facilitation and mediation.

### The leading role of the United Nations

- The United Nations should strengthen its leading role in the field of preventive and quiet diplomacy, dialogue facilitation and mediation. The regional organizations expect support from the United Nations to further develop their capacities on mediation and mediation support in order to be more capable to fulfil their responsibilities under Chapter VIII of the UN Charter.

### Promotion of the subject of mediation

- The importance of the political will of Member/participating States to be involved in mediation should be promoted by linking national interests to the advantages of conflict prevention, particularly in terms of sustainability and costs.
- A collective call for more resources for conflict prevention should be made. Results of conflict prevention should be better demonstrated and quantified.
- Regional organizations should be made more aware of and support political initiatives to strengthen mediation taking place, such as the initiative of the ‘Group of Friends of Mediation’ to promote a resolution by the UN General Assembly on mediation. The topic of mediation should be brought to the attention of high-level structures.

### Connection with the long-term perspective

- The long-term perspective should be taken into account when conducting mediation. Regional organizations should be ready to invest in the long-term. More analysis is needed on the relationship between mediation and institution-building and how they can complement each other.

## KEY RECOMMENDATIONS

### Continuation of sharing of experiences

- Follow-on meetings to the Workshop should be organized by the United Nations. On such occasions, the following subjects could be discussed: the factors of failed mediation in frozen/protracted conflicts, the factors of successful mediation and transnational threats as well the importance of gender aspects, local ownership and civil society to mediation. Country-specific meetings should also be organized.
- Exchange of experiences should continue on a continuous basis. Contacts should be maintained throughout the year. The OSCE Online Forum, as developed for the Workshop, could be considered as an available platform to exchange experiences.
- Meetings on a regional basis to discuss the progress made should take place in the context of regular bilateral meetings already held.

### Network of mediation support

- A network of mediation support units should be established. In particular, this network should allow for an inter-organizational exchange in terms of sharing contacts, lessons learned, and rosters of mediation experts, as well as for joint trainings, and short-term secondment of staff.

### Co-operation with other actors

- More co-operation is needed with non-state actors. Similar workshops should take place in a setting of non-state actors. Co-operation with the media and the private sector should be strengthened.
- Co-operation with financial institutions, for example the World Bank, should be enhanced.

In conclusion, participants perceived the Vienna Workshop as a highly useful follow-up event to the UN Secretary-General's Retreat, held in January 2010. The substantial exchange of experiences and views was considered important, valuable and much needed. As a result, the Workshop served as a joint awareness raising and learning exercise resulting



## KEY RECOMMENDATIONS

in the understanding of partners from other organizations and regions. The format and expert level of the meeting allowed for institutional co-operation and created space for open dialogue.



*From left to right: Ambassador Francisco Madeira, Former Special Envoy for Comoros of the African Union; Ambassador Nguyen Hong Cuong, Director-General of the ASEAN Department, Vietnam; Duong Tri Hien, Political and Security Division of the ASEAN Department, Vietnam; Ambassador Noel Sinclair, Permanent Representative of the Caribbean Community to the UN and Alexander Medvedev, Political Affairs Officer of the Collective Security Treaty Organization. (Photo Credit: OSCE)*

## 9. Annexes

### Annex 1 – Agenda

**6 December 2010**

**9:30–10:00** Registration

**10:00–10:30** Welcome and opening address by **Ambassador Marc Perrin de Brichambaut**, Secretary General of the Organization for Security and Co-operation in Europe (OSCE)

**10:30–13:00** SESSION 1: SHARING LESSONS IDENTIFIED AND BEST PRACTICES IN MEDIATION AND FACILITATION

**Moderator** **Ambassador Herbert Salber**, Director of the Conflict Prevention Centre, Organization for Security and Co-operation in Europe (OSCE)

**Speakers** **Ambassador Lamberto Zannier**, Special Representative of the Secretary General, United Nations Interim Administration Mission in Kosovo (UNMIK): “Mediation and Facilitation in Post-Conflict Societies”

**Ambassador Francisco Caetano Jose Madeira**, Former Special Envoy for Comoros and Special Representative in Charge of Counter-Terrorism Cooperation, African Union (AU)

**Ambassador Nguyen Hong Cuong**, Director-General, Association of Southeast Asian Nations (ASEAN) Department, Vietnam: “Preventive and Quiet Diplomacy in the Context of ASEAN and the ASEAN Regional Forum (ARF)”

**13:00–15:00** Buffet lunch hosted by the OSCE Secretary General

**15:00–17:30** SESSION 2: QUIET DIPLOMACY AND LOCAL MEDIATION EFFORTS

**Moderator** **Dr. Walter Kemp**, Director for Europe and Central Asia, International Peace Institute

**Speakers** **Ambassador Knut Hollebaek**, Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities (HCNM): “Preventing Conflict through Quiet Diplomacy: The HCNM Experience”

**Mr. Rick Nimmo**, Director, Political Governance & Security Programme, Pacific Islands Forum (PIF) Secretariat: “Exercising Quiet Diplomacy under the Biketawa Declaration”

**Ambassador Andrew Tesoriere**, Head of the OSCE Centre in Bishkek, “Local Mediation Efforts: A Comparative Analysis”

**19:00** Dinner hosted by the OSCE Secretary General

Keynote address by **Ambassador Gerard Stoudmann**, Special Representative of the Secretary General of the Council of Europe (CoE) for Organizational Development and Reform of the Organization

## 7 December 2010

**10:00–12:30** SESSION 3: OPERATIONALIZING MEDIATION SUPPORT CAPACITIES

**Moderator Ms. Claudia Luciani**, Director Political Advice and Co-operation, Directorate of Democracy and Political Affairs, Council of Europe (CoE)

**Speakers Ambassador Herbert Salber**, Director of the Conflict Prevention Centre, Organization for Security and Co-operation in Europe (OSCE): “Operationalizing Mediation Support Capacities in the OSCE”

**Mr. Kelvin Ong**, Head of the Mediation Support Unit, United Nations Department for Political Affairs (UNDPA): “The UN and Regional Organizations in Mediation: Lessons Learned from Capacity Building and Partnership”

**Mr. Johannes Schachinger**, Mediation Focal Point, European Commission: “Developing Mediation Support Capacities in the EU”

**Mr. Gustavo De Unanue Aguirre**, Advisor to the Secretary for Political Affairs, Organization of the American States (OAS) “OAS Practices on Conflict Resolution”

**12:30–13:00** Concluding remarks by **Mr. Oscar Fernandez-Taranco**, Assistant Secretary-General for Political Affairs, United Nations Department for Political Affairs (UNDPA)

Concluding remarks by **Ambassador Marc Perrin de Brichambaut**, Secretary General of the Organization for Security and Co-operation in Europe (OSCE)

**13:00–15:00** Buffet lunch hosted by the OSCE Secretary General

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## Annex 2 – List of Participants

<b>African Union (AU)</b>	<b>Ambassador Francisco Caetano Jose Madeira</b> Former Special Envoy for Comoros and Special Representative in Charge of Counter-Terrorism Cooperation
<b>ASEAN Regional Forum (ARF)</b>	<b>Ambassador Nguyen Hong Cuong</b> Director-General, ASEAN Department – Vietnam <b>Mr. Duong Tri Hien</b> Political and Security Division, ASEAN Department Vietnam
<b>Caribbean Community (CARICOM)</b>	<b>Ambassador Noel Sinclair</b> Permanent Representative of the Caribbean Community to the United Nations
<b>Collective Security Treaty Organization (CSTO)</b>	<b>Mr. Alexander Medvedev</b> Political Affairs Officer
<b>Conference on Interaction and Confidence-Building Measures in Asia (CICA)</b>	<b>Mr. Kanat Tumysh</b> Deputy Executive Director, CICA Secretariat
<b>Council of Europe (CoE)</b>	<b>Ms. Claudia Luciani</b> Director, Political Advice and Co-operation, Directorate of Democracy and Political Affairs
<b>European Union (EU)</b>	<b>Mr. Johannes Schachinger</b> Mediation Focal Point, European Commission
<b>League of Arab States (LAS)</b>	<b>Mr. Hesham Youssef</b> Chief of Staff, Cabinet of the Secretary-General

<b>North Atlantic Treaty Organization (NATO)</b>	<b>Mr. Calin Stoica</b> Head, Multilateral Affairs Section (NAMA/PASP)
<b>Organization of American States (OAS)</b>	<b>Mr. Gustavo De Unanue Aguirre</b> Special Advisor to the Secretary for Political Affairs
<b>Pacific Islands Forum (PIF)</b>	<b>Mr. Rick Nimmo</b> Director, Political Governance & Security Programme
<b>United Nations (UN)</b>	<b>Mr. Oscar Fernandez-Taranco</b> Assistant Secretary-General, United Nations Department for Political Affairs (UNDPA) <b>Ambassador Lamberto Zannier</b> Special Representative of the Secretary General, United Nations Interim Administration Mission in Kosovo (UNMIK) <b>Mr. Kelvin Ong</b> Head Mediation Support Unit, United Nations Department for Political Affairs (UNDPA)
<b>International Peace Institute (IPI)</b>	<b>Dr. Walter Kemp</b> Director for Europe and Central Asia
<b>Private capacity</b>	<b>Mr. Gerard Stoudmann</b> Special Representative of the Secretary General of the Council of Europe (CoE) for Organizational Development and Reform of the Organization
<b>Organization for Security and Co-operation in Europe (OSCE)</b>	<b>Ambassador Marc Perrin de Brichambaut</b> Secretary General <b>Ambassador Knut Vollebaek</b> High Commissioner on National Minorities <b>Ambassador Herbert Salber</b> Director, Conflict Prevention Centre

### OSCE (continued)

**Ambassador Andrew Tesoriere**

Head of the OSCE Centre in Bishkek

**Mr. Oleksandr Pavlyuk**

Head of External Co-operation

**Mr. Gottfried Hanne**

Deputy Director of the Conflict Prevention Centre for  
Operations Service

**Ms. Alice Ackermann**

Senior Operational Adviser, Operations Service, Conflict  
Prevention Centre

**Ms. Kathleen Samuel**

Senior Policy Support Officer (Central Asia), Policy Support  
Service, Conflict Prevention Centre

**Ms. Natalie Sabanadze**

Senior Political Adviser, HCNM

**Mr. John Crosby**

Operational Support Officer, Operations Service, Conflict  
Prevention Centre

**Ms. Biliana Hristova**

External Co-operation Officer

**Ms. Gudrun Van Pottelbergh**

Operational Support Officer, Operations Service, Conflict  
Prevention Centre

**Ms. Aldona Szymanski**

Senior External Co-operation Assistant

**Ms. Georgia Tasiopoulou**

Rapporteur

**Ms. Inna Fironova**

Rapporteur

**Mr. Johannes Jurka**

Rapporteur

## Annex 3 – Speaker Biographies

**Ambassador Francisco Caetano Jose Madeira**, Former Special Envoy for Comoros, is the current Special Representative in Charge of Counter-Terrorism Cooperation of the African Union. He is serving as a member of the National Parliament of Mozambique and also had a distinguished career in the Mozambican Diplomatic Service. He contributed to several peace processes on the African continent including serving as Special Representative of the Mozambican Government to the Great Lakes Region and as Special Envoy of the Organization of the African Union.

**Mr. Rick Nimmo** is the Director of the Political Governance and Security Programme in the Pacific Islands Forum Secretariat in Suva, Fiji. Mr. Nimmo was posted as an Australian diplomat in the Solomon Islands, Papua New Guinea, Sweden and Fiji. He was the Political Counsellor to the Australian Mission to the UN in New York from 2004 to 2007. Mr. Nimmo has first-hand experience in conflict resolution in Fiji and the Solomon Islands. As director of the Pacific Bilateral Section in Canberra from 2001 to 2003, he devised the Regional Assistance Mission to the Solomon Islands.

**Ambassador Nguyen Hong Cuong** served in the Ministry of Foreign Affairs of Vietnam and was posted in Australia, Indonesia and Thailand. Since 2006, Ambassador Nguyen is the Director-General of the ASEAN Department in the Ministry of Foreign Affairs in Vietnam. The ASEAN Department covers ASEAN Co-operation and Regional issues in the Asia-Pacific, including regional processes such as ASEAN Regional Forum, ASEAN +1, ASEAN +3 and the East-Asia Summit.

**Mr. Kelvin Ong** is at present the Head of the Mediation Support Unit in the United Nations Department of Political Affairs. From 2003 to 2007, he was responsible for the Disarmament, Demobilization and Reintegration Programme in the UN Department of Peacekeeping Operations. He also led the Justice and Security Sector Unit of the United Nations Development Programme for one year. Mr. Ong has field experience from UN Missions in Afghanistan and Liberia. Before joining the UN, Mr. Ong worked at the International Peace Academy and served in the Singapore Armed Forces.

**Ambassador Herbert Salber** is the Director of the Conflict Prevention Centre of the Organization for Security and Co-operation in Europe. He served in the German diplomatic service in Belgrade and Nicaragua. He was also involved in the Geneva Conference on

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Disarmament, the Nuclear Non-Proliferation Treaty and the Biological Weapons Convention. Ambassador Salber has a unique overview of the OSCE from different sides, based on his experiences as Deputy Head of the German Permanent Mission to the OSCE, Head of the OSCE Centre in Almaty and Special Adviser to the Portuguese OSCE Chairmanship on Central Asia in 2002.

**Mr. Johannes Schachinger** is currently the Conflict Prevention and Mediation focal point at the Directorate General for External Relations of the European Commission. He has been with the Commission since 1999, working on relations with Latin America and South Asia and, between 2001 and 2005, on OSCE issues at the Delegation of the Commission in Vienna. He joined the Austrian Foreign Ministry in 1987 and was posted to Zimbabwe, India and Nicaragua.

**Ambassador Gérard Stoudmann** was appointed in November 2009 as Special Representative of the Secretary General of the Council of Europe for Organizational Development and Reform of the Organization. Prior to his appointment, he served as Special Envoy of the Swiss Foreign Ministry for Francophone Africa. Previously, he served as UN High Representative for the Elections in Cote d'Ivoire in 2006. Prior to his departure for the UN, he was Director of the Geneva Centre for Security Policy from 2002 to 2006. He has worked both in public service, where he held various positions in the Ministry of Foreign Affairs, Ministry of Defense, Ministry of Economy, and in the private sector. In 1997, he was appointed Director of the OSCE Office for Democratic Institutions and Human Rights in Warsaw.

**Ambassador Andrew Tesoriere** has served as the Head of the OSCE Centre in Bishkek since 2008. Previously, he served as a British diplomat in Algeria, Latvia and Albania. In Afghanistan, he held the position of Director of the UN Special Mission and Head of Humanitarian Field Operations. In the area of mediation, Ambassador Tesoriere has served as the UN's mediator in Afghanistan and chaired the intra-Afghan peace talks in Ashgabat in March 1999. Furthermore, he was a senior OSCE observer at the Afghan Elections in 2004 and 2005. Prior to his current appointment, he was a senior NATO advisor in Afghanistan.

**Mr. Gustavo De Unanue Aguirre** is Senior Advisor for the Secretary of Political Affairs for the Organization of American States. Before occupying this position, he was the Mexican Consul in the State of New Mexico in the United States and Federal Representative in the House of Representatives in the Congress of Mexico.



**Ambassador Knut Vollebaek** has served as the High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe since 2007. He has extensive experience in peace mediation and conflict resolution. In 1993, Ambassador Vollebaek was responsible for the negotiations between the Government of Croatia and the so-called Krajina Republic and assisted the Special Representative of the UN Secretary-General for the former Yugoslavia in peace negotiations as Deputy Co-Chairman of the International Conference on the former Yugoslavia. In 1999, he was Chairman-in-Office of the OSCE where he was involved in finding a peaceful solution to the Kosovo situation. Further, as Norwegian Minister of Foreign Affairs, he was a key actor in the Norwegian-sponsored peace process in Sri Lanka.

**Ambassador Lamberto Zannier** is the Special Representative of the Secretary-General of the United Nations Interim Administration Mission in Kosovo. Previously Ambassador Zannier served as the Director of the OSCE's Conflict Prevention Centre. He has extensive experience on politico-military issues from other assignments with the Organization for the Prohibition of Chemical Weapons, NATO, EU, the UN's Food and Agriculture Organization and as Chairperson for negotiations on the Adaptation of the Treaty on Conventional Armed Forces in Europe. Ambassador Zannier worked previously as a career diplomat with the Italian Ministry of Foreign Affairs.

